

DOCUMENT RESUME

ED 293 932

UD 025 983

TITLE Report of the Mayor's Commission on Hispanic Concerns.

INSTITUTION New York City Office of the Mayor, NY. Commission on Hispanic Concerns.

PUB DATE 10 Dec 86

NOTE 562p.; For the response document, see UD 025 984. Some pages contain light, broken type.

AVAILABLE FROM Mayor's Office-Hispanic Affairs, 52 Chambers Street, Room 318, New York, NY 10007.

PUB TYPE Reports - Research/Technical (143)

EDRS PRICE MF02/PC23 Plus Postage.

DESCRIPTORS *Disadvantaged; Economic Opportunities; Equal Opportunities (Jobs); High Risk Persons; *Hispanic Americans; Municipalities; *Public Policy; Quality of Life; Social Agencies; *Social Bias; *Social Differences; Urban Demography; *Urban Problems

IDENTIFIERS *New York (New York)

ABSTRACT

In 1985 Mayor Edward Koch of New York City appointed a commission to address the concerns of Hispanics. This document is the report of that commission. It describes some of the special problems experienced by Hispanics and sets forth specific recommendations for the city to consider in order to enhance the quality of life for Hispanics. The areas of major concern are the following: (1) education; (2) economic development; (3) housing; (4) an Hispanic public benefit corporation to facilitate purchase of housing and use of city services; (5) private sector employment; (6) employment in New York City Government; (7) health; (8) criminal justice; (9) delivery of city services; and (10) city language services. It was found that general living conditions of disadvantaged Hispanic New Yorkers were deteriorating rapidly. Since the recommendations of several other reports on Hispanics had not been implemented, specific suggestions about implementation and monitoring are presented. The city is urged to publicize up-to-date information on the Hispanic community because of the number of officials and agencies that are uninformed or insensitive to the problems of this community. The mayor is urged to hold officials and agencies accountable for what they do or fail to do in the area of Hispanic concerns. (VM)

* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *

ED 293932

CITY OF NEW YORK

EDWARD I. KOCH
Mayor

EDGARDO N. VAZQUEZ
Chairman



Report of the MAYOR'S COMMISSION ON HISPANIC CONCERNS

DECEMBER 10, 1986

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION
CENTER (ERIC)

☒ This document has been reproduced as
received from the person or organization
originating it.
☐ Minor changes have been made to improve
reproduction quality.

• Points of view or opinions stated in this docu-
ment do not necessarily represent official
OERI position or policy.

DENNIS deLEON
Executive Director

ROSEMARIE MALDONADO
Deputy Executive Director

"PERMISSION TO REPRODUCE THIS
MATERIAL HAS BEEN GRANTED BY
Luis A. Miranda
Mayor's Office for
Hispanic Affairs
TO THE EDUCATIONAL RESOURCES
INFORMATION CENTER (ERIC)."

BEST COPY AVAILABLE

UD025983

MAYOR'S COMMISSION ON HISPANIC CONCERNS

Edgardo N. Vazquez: Chairman
Senior Vice President, Banco Popular de Puerto Rico

Dr. Victor Alicea
President, Boricua College

Encarnacion Padilla de Armas

Hon. Carmen Beauchamp Ciparick
New York State Supreme Court

Rev. Aimee Garcia Cortese
Pastor, Crossroads Tabernacle

Rev. Raul del Valle
Chancellor, The Archdiocese of New York

Rita DiMartino
District Manager - Government Relations, AT&T

Serafin U. Mariel
President, New York National Bank

Dr. Hugo M. Morales
Director, Bronx Mental Health Clinic

Dr. Lloyd H. Rogler
Director of Hispanic Research Center and
Albert Schweitzer University Professor, Fordham University

Hon. Edwin Torres
New York State Supreme Court

John Torres
President, Metro Spanish Food Wholesalers

Charles Uribe
President, A.J. Contracting Company, Inc.

STAFF

Dennis deLeon, Executive Director
Rosemarie Maldonado, Deputy Executive Director
John Casey, Senior Policy Analyst
Isabel Olivera Morales, Senior Policy Analyst
Awilda Lopez, Administrative Assistant

MAYOR'S COMMISSION ON HISPANIC CONCERNS

Subcommittee Membership

Education

Victor Alicea, Chairman
Hon. Carmen Beauchamp Ciparick
Rev. Raul del Valle
Dr. Lloyd Rogler

Economic Development/Employment

Serafin Mariel, Chairman - Economic Development
John Torres, Chairman - Employment
Rita DiMartino
Charles Uribe
Edgardo Vazquez

Housing

Charles Uribe, Chairman
Encarnacion Padilla de Armas
Serafin Mariel
Edgardo Vazquez

Criminal Justice

Hon. Edwin Torres, Chairman
Rev. Aimee Garcia Cortese

Health

Dr. Lloyd Rogler, Chairman
Hugo Morales

Language Services

Edgardo Vazquez
Serafin Mariel
Encarnacion Padilla de Armas

ACKNOWLEDGEMENTS

A project of this magnitude cannot be undertaken without the hard work and diligent efforts of a dedicated staff. The Commission was fortunate to have Dennis deLeon as Executive Director and Rosemarie Maldonado as Deputy Executive Director. Together they deserve the highest praise for giving unselfishly of their time and energy and providing the dynamic leadership for this undertaking. Their intellectual insight and professionalism were essential to the success of this project. Isabel Olivera Morales and John Casey, Senior Policy Analysts, brought to the Commission their research experience and analytical skills; their immeasurable contributions form an integral part of this report. Awilda Lopez kept the project running smoothly and provided invaluable clerical support. The Commission would like to commend the staff for its caring and dedication.

The Commission would like to extend its appreciation to Lola Fonnegra, Victor Marrero, and Andrew Velez, original appointees to the Commission who were unable to complete their full terms due to other pressing commitments, but who made important contributions nonetheless.

The Commission is indebted to all those individuals who testified at the Commission's public hearings and addressed the Commission's meetings. Their time and effort helped focus the direction which the report has taken. The Commission has attempted to address as many of the issues as possible.

Deputy Mayors Stan Brezenoff, Robert Esnard, and Alair Townsend have been invaluable in facilitating meetings with City agencies, in expediting agency responses to the Commission's inquiries, and in helping to resolve problems; the work of the Commission would not have been completed without their support and assistance. The Commission also thanks many others in New York City government. In particular: Commissioner Manuel Bustelo, Commissioner Marcella Maxwell, Elizabeth Bogen, Lee Blass, Antonia Carranza, John Cinque-Sacarello, Cecilia Collins, Joel Copperman, Joseph DeVincenzo, Linda Dunn, Felipe Floresca, Charles Heffernan, Susan Herman, Alex Jackson, Stuart Klein, Wilfredo Lopez, Jack John Olivero, Ernesto Malave, Frank Mangino, Joanne Marqusee, Azalia Matos, Joseph Ramos, Ed Reynolds, Alejandro Rodriguez, Marian Schwarz, Jeremy Travis, Hector Vazquez, and Philip Weitzman.

Outside City government, among the countless contributors, the Commission is grateful for the assistance of: Elizabeth Colon, Association of Puerto Rican Executive Directors; Johnny Colon, East Harlem Music School; Lucy Friedman, Victim Services Agency; and Charles LaPorte, New York State Division of Drug Abuse Services.

Special thanks to Frederick A.O. Schwarz, Jr., Corporation Counsel, for providing the Commission with office space and making available the resources of the Law Department. Above all, we would like to extend him our appreciation for providing leave from official

duties from the Law Department for Dennis deLeon and Rosemarie Maldonado. Elise Winterhoff, Dennis deLeon's secretary, also deserves a special vote of thanks and admiration for taking on yet another task and completing it as excellently as she does everything else. Also within the Law Department, thanks to Jack Hupper, Martha Mann, Jimmy Santiago, Michael Young and the staff of the Copy Center and the messengers for the reliable and expeditious work they did throughout the preparation of this document.

The Commission also thanks Sonny Compres; Greta McBean; Helen Mosley; Ruth Sauer; George Sorell; WNYC; Teacher's College, Columbia University; Hostos Community College; the Brooklyn Union Gas Company; P.S. 69; and the College of Staten Island, for assistance with the public hearings. Special thanks to Bienvenida Anglero, Lillian Morales and Isabel Torres for coordinating the Commission's numerous meetings and providing their professional support.

Funding for this project was provided by the City of New York through the Office of the Mayor.

TABLE OF CONTENTS

	<u>Page</u>
TRANSMITTAL LETTER	T.1
INTRODUCTION	I.1
 SUMMARY OF FINDINGS AND RECOMMENDATIONS	
EDUCATION	S.1
ECONOMIC DEVELOPMENT	S.8
HOUSING	S.15
HISPANIC PUBLIC BENEFIT CORPORATION	S.18
PRIVATE SECTOR EMPLOYMENT	S.19
EMPLOYMENT IN NEW YORK CITY GOVERNMENT	S.20
HEALTH	S.23
CRIMINAL JUSTICE	S.27
DELIVERY OF CITY SERVICES	S.31
CITY LANGUAGE SERVICES	S.33
 CHAPTER 1: EDUCATION	
1	1
End the Disastrous Rate of Hispanic Dropouts Through Increased Accountability and More Creative Programs	2
Aggressively Address Problem of Teenage Pregnancy Through Effective Mandatory Sex Education and Increased Involvement of Parents	7
Bilingual Education	9
Increase Number of Bilingual Teachers	10
Monitor Effectiveness of Bilingual Education Programs	11
Make Vocational Schools Accessible to Limited English Proficient Students	14
Eliminate the Overcrowding Crisis in Districts Six, Ten and Twenty-four Through Dedication of Adequate Resources and Long Range Planning	15
Meet the Demand for Adult English as a Second Language Instruction and Graduate Equivalence Diploma Instruction	18
Improve Physical Conditions of Schools Through More Control by Principals Over Custodians, Increased Use of Student Training Programs and Outside Contracting for Repairs	19

Eliminate Guidelines That Limit the Admission of Minority Youth to City Schools	20
Expand CUNY's Student Retention Programs	21
Provide Hispanic Representation on the Board of Education Through Merit Selection of Representative Board	22
Require that 75 Percent of All Members Elected to Community School Boards be Parents	23
CHAPTER 2: ECONOMIC DEVELOPMENT	25
Create Hispanic Economic Development Office (HEDO) to Advocate on Behalf of Hispanic Businesses	28
Ensure that Business Training Sessions Offered by the Office of Business Development Provide Substantive Educational Opportunities for Hispanic Businesspeople	32
Make the Locally-Based Enterprise Program More Available for Hispanic Businesses or Adopt a Minority Set-Aside Program	34
Aggressively Market the Recently Enacted Small Business Enterprise Program to Hispanic Businesses and City Agencies	35
Make the Office of Business Development's Retail Space Bank Available to Small Hispanic Businesses	36
Expand the Proposed East Harlem Opportunity Zone to Include Spanish East Harlem	37
Create a Board Committee of the Public Development Corporation that Would Examine, With the Assistance of HEDO, the Adequacy of the Corporation's Programs for Hispanic Businesses	39
Take Into Account Interests of Hispanic Community and Hispanic Businesses in Approving Sole Source Purchases of Land in Disadvantaged Hispanic Communities	41
Include More Hispanic Representation on Public Development Corporation Board of Directors	43

Increase Availability of Industrial Development Bonds Offered by the Financial Services Corporation's Industrial Development Agency	44
Increase Financial Assistance to Hispanic Construction Firms	45
Make Working Capital Loans Available for Hispanic Businesses Contracting With the City	46
Expand Outreach by the Financial Services Corporation	48
Restrict Auctions by the Department of General Services' Division of Real Property of Vacant City Parcels in Disadvantaged Hispanic Communities	49
Develop Plan for Creation of New Hunts Point Facility for Use by Wholesalers and as an Incubator for Promising Businesses	50
Redesign the Procedures for the Purchase of Small Parcels of City Land to Eliminate Existing Delays	51
Work Toward Assuring Small Hispanic Business of Affordable Retail Space	52
CHAPTER 3: HOUSING	54
Preserve 70 Percent of <u>In Rem</u> Buildings for Low and Moderate-Income Housing	58
Establish a Demonstration Project in East Harlem to Rehabilitate 70 Percent of Vacant <u>In Rem</u> Housing for Low and Moderate-Income Housing	59
Expand Cooperative Conversion of Occupied <u>In Rem</u> Buildings	62
Streamline the City's Permit Procedures to Reflect the Needs of Small Hispanic Developers	63
Utilize Hispanic Resources to Develop and Implement the Mayor's Ten Year Plan	65
Reform Housing Court Procedures as Part of the City's Homelessness Prevention Program	65

Investigate Housing Discrimination in Staten Island and Other Boroughs	67
CHAPTER 4: HISPANIC PUBLIC BENEFIT CORPORATION	68
Advocate Creation of Hispanic Public Benefit Corporation to Initiate, Finance and Develop Low and Moderate-Income Housing and to Organize Significant Economic Development Projects in the City's Hispanic Community	69
CHAPTER 5: PRIVATE SECTOR EMPLOYMENT	76
Corporations Doing Business with the City Should Develop Training Programs for the Unemployed	82
Provide Job Specific English Language Training Programs to the Unemployed Limited English Speaking Population	84
Expand the Number of Youth Participating in City Works Program by Using Program Funds Used for Purchasing Materials to Create Additional Training Opportunities	85
Urge that the Commissioner of the State Department of Labor Permit Trainees Under Mayoral Executive Order No. 50 to be Paid Apprenticeship Wages	85
Coordinate Trainee Programs and Trainee Support for Those Trainees at City Construction Sites Under Executive Order No. 50 to Increase the Numbers Receiving Journey-level Status	88
CHAPTER 6: NEW YORK CITY GOVERNMENT EMPLOYMENT	89
The City's General Record in Hiring Hispanics	90
All City Agencies	90
New Hires	93
By Agency	96
By Job Title	99
Hispanic Managers	101
Conclusions	107
Addressing Hispanic Underrepresentation	110

Establish Performance Objectives for Hispanic Representation in City Job Titles	110
Improve Monitoring of City Agencies' Equal Employment Opportunity Programs By Moving the Responsibility to an Independent Mayoral Office	114
Train and Upgrade Status of Equal Employment Opportunity Officers	118
Focus Equal Employment Efforts on Twenty-five Specific Titles	119
Enhance Recruitment of Hispanics for Competitive Positions through More Focused Outreach, Effective Advertising and Assistance Taking in Examinations	120
More Focused Recruitment of Hispanics for Discretionary Hires	122
Increase the Number of Hispanic Managers through Internship Program and Changes in Civil Service Process	126
CHAPTER 7: HEALTH	129
Appoint Qualified Hispanics to Top Level Policy Making Positions at Health and Hospitals Corporation	130
Require That Hospital Affiliates Appoint Hispanic Physicians	131
Appoint Bilingual Mental Health Professionals	132
Establish a Pre-Residency Program for Qualifying Foreign Medical School Graduates	133
Establish a Physician Assistant Program for Foreign Medical School Graduates	134
Increase the Use of Hispanic Paraprofessionals in Mental Health Clinics to Increase Hispanic Participation	135
Establish a Hispanic Research and Training Center	136
Expand Efforts to Stop the Spread of AIDS	137
Establish Bilingual Alcoholism Services	137

Consolidate Data on Hispanic Health in New York City	138
CHAPTER 8: CRIMINAL JUSTICE	140
Increased Steps Must be Taken to Treat Heroin and Cocaine Addiction Among the City's Hispanic Population	140
Increase of State Funding of Methadone Treatment Centers	141
Provide Drug Therapy to Heroin and Cocaine Addicts in Prison	143
Expand Drug-Free Treatment Programs For Heroin Addicts	143
Regularly Monitor All Drug Prevention Programs in Schools	144
Create Local Working Group to Monitor Adequacy of State Funded Drug Treatment Efforts For Crack and Cocaine Use	145
Urge Military Drug Interdiction and Narcotics Control	146
Expand Services to Hispanic Victims of Violence	148
Ensure that Crime Victims are Informed by the Police Department of Services Available Through the Victim Services Agency	148
Expand Victim Services Agency Presence in Hispanic Schools	149
Expand Services to Domestic Violence Victims	150
Expand Bilingual Precinct Receptionist Program	151
Concrete Steps Must be Taken to Address Concerns of Hispanic Police Officers Regarding the Fairness of Entrance and Promotional Examinations	152
Testing for Selection and Promotion of Police Officers Must be Improved to Ensure High Standards and Fair Representation of Hispanic Officers	152

Study Why Disproportionate Numbers of Hispanics are Excluded from Service Because of the Psychological Examination	154
Provide Civil Service Examination Credit to Police Officers for Spanish-speaking Abilities	154
Expand Recruitment Efforts at City Colleges	155
CHAPTER 9: DELIVERY OF CITY SERVICES	157
Efforts by the City to Ensure that Services Are Accessible to Hispanics Are Generally Ad Hoc and Reactive Rather Than Systematic	158
Require that Service Oriented City Agencies Keep Statistics on Clients by Race and Ethnic Background and Language Spoken at Home	161
Ensure that Hispanic Clients of City Agencies Receive an Equal Level of Service	165
Award a Larger Proportion of City Contracts for Human Services to Hispanic Community-Based Organizations	166
Appoint More Hispanics to Advisory Boards and Policy-making Committees	169
Establish a Spanish-Language Information and Expand Outreach Efforts	170
CHAPTER 10: CITY LANGUAGE SERVICES	173
Current Language Services	174
Translations	177
Address Inadequacy Of Language Services through Individual Agency Language Service Plans Based on City-Wide Guidelines	180
Enabling Legislation	182
Coordination and Monitoring	182
Selective Certification and Parenthetical Titles	183
New York City Language Bonus	183

Testing and Training	185
ATTACHMENT 1: [PROPOSED] GUIDELINES FOR THE USE OF BILINGUAL STAFF, AD HOC INTERPRETERS, AND TRANSLATORS IN NYC AGENCIES	187
Responsibility for Agency Language Services Plan	187
Statistics on LESA Users	187
Translations (written material)	187
Bilingual Services	188
Ad Hoc Interpreting	190
Language Banks	191
Hotlines, Telephone Information	191
Other Personnel	192
Outreach	192
ATTACHMENT 2: IMPLEMENTATION OF RECOMMENDATIONS ...	193
Phase 1 - Initiation	193
Phase 2 - Development	193
Phase 3 - Operation	194
ATTACHMENT 3: [PROPOSED] JOB DESCRIPTION FOR LANGUAGE SERVICES COORDINATOR	196

APPENDICES

Appendix 1: Memoranda Regarding EEO	A1.1
Appendix 2: Commission Questionnaire for City Service Delivery Review	A2.1
Appendix 3: City Agencies' Submissions to Commission (Responses to Questionnaire)	
Department for the Aging	A3-1.1
Department of Consumer Affairs	A3-2.1
Department of Correction	A3-3.1
Department of Cultural Affairs	A3-4.1
Department of Employment	A3-5.1
Fire Department	A3-6.1

Department of Health
Health and Hospitals Corporation
Housing Authority
Department of Housing Preservation and Development
Human Resources Administration
Department of Juvenile Justice
Department of Mental Health, Mental Retardation and
Alcoholism Services
Department of Parks and Recreation
Police Department
Department of Probation
Department of Sanitation

Appendix 4: List of Speakers at Public Hearings and Full
Commission Meetings

LIST OF TABLES

EDUCATION	Page
Number and Proportion of Entitled Elementary School Students by District and Program	12
Number and Proportion of Entitled High School Students by School and Program	13

HOUSING

Condition Characteristics of New York City Renter Occupied Units	56
Selected Characteristics of New York City Renter Occupied Units, 1984	57

PRIVATE SECTOR EMPLOYMENT

New York City Unemployment Rates By Race/Ethnic Group	77
New York City Employment: 1984-1985	78

HISPANIC EMPLOYMENT IN NEW YORK CITY GOVERNMENT

New York City Full-Time Work Force by Categories, June 30, 1985	91
Comparison of New York City Population and Civilian Work Force with City Work Force	92
Comparative Breakdown of City Full-Time Work Force, 1977-1985	93
Hispanic Representation in New Hires, 1978-1985	94
New Hires: Mayoral Agencies, May 1983 - July 1986	95
Hispanic in City Agencies, June 30, 1985	97
Hispanic New Hires: Mayoral Agencies, 1984-1985	98
Hispanic Representations in City Titles with 120 or More Incumbents	100

	Page
Comparison of New York City Civilian Managers with City Managers	102
Management Pay Plan, June 1986	103
Management Pay Plan, December 31, 1984: M-Level by Race/Ethnic Group	104
Commissioners and Deputy Commissioners Mayoral Agencies, March 31, 1986	105
Management Pay Plan, December 31, 1984 - Civil Service Status by Race/Ethnic Group	106

HEALTH

HHC Inpatient Discharge, October 1, 1984 through September 30, 1985	129
--	-----



MAYOR'S COMMISSION ON HISPANIC CONCERNS
100 Church Street, Suite 6C2
New York, NY 10007
(212) 566-1080

December 10, 1986

The Honorable Edward I. Koch
Mayor
City Hall
New York, NY 10007

Dear Mayor Koch:

With this letter we are transmitting the Report of the Mayor's Commission on Hispanic Concerns.

We wish to state at the outset that it has been an honor and a privilege to serve on this Commission. The problems faced by the Hispanic community in New York City and its aspirations are matters of great significance and close to our heart. We consider it our civic and moral obligation to contribute in any way possible to the favorable resolution of these issues. During our work and deliberations, we felt a strong bond as part of the Hispanic community and a sense of belonging and responsibility as citizens of New York City. We found there was no conflict between the need to find effective solutions to the problems of Hispanics and the best interests of all residents of New York City. We are convinced that if Hispanics achieve their aspirations, all of New York will benefit.

We thank you for providing us with an excellent staff. Headed by Executive Director Dennis deLeon and Deputy Executive Director Rosemarie Maldonado, they worked diligently and provided the Commission with requested information, arranged meetings, guided us through the otherwise complex maze of City agencies and offices, and much more. Without their assistance and support, this Report would not have been possible.

We feel it is important to bring to your attention certain matters that are of special concern and importance to the Commission members but are not explicitly stated in the Report.

Members of the Commission and a substantial percentage of Hispanic residents of New York City consider you an honest, effective and concerned Mayor who has recognized the problems facing the Hispanic community and has directed City agencies to develop programs to address some of these problems. At the same time, however, they see their most basic needs not being met by City agencies. Our community honestly believes that it is up to you as Mayor to make sure that the Hispanic community benefits from some of the opportunities that have been made available to other groups.

The Commission found that many senior administration officials and high-level personnel in City agencies have little, if any, accurate and up-to-date information on the Hispanic community, are uninformed of the diverse needs, unaware of the magnitude of existing problems, and insensitive to the difficulty and frustration of our efforts to overcome insurmountable odds.

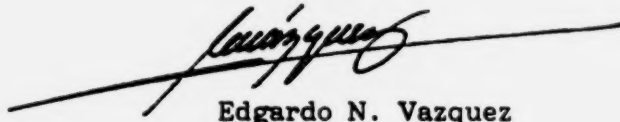
It seems to members of the Commission that your concerns and directives for actions to alleviate some of these problems have, in most cases, been ignored or not considered important enough to implement. It seems as if these people have not received or understood your message or they just have a different agenda. Holding these government officials and agencies accountable for what they do or fail to do has to be a top priority if any positive results are to be expected in the future. It is not our intention nor the purpose of this Report to personally attack any City official, agency, or program. But it is our responsibility to present our findings and perceptions, and to evaluate any inadequacies.

In closing, we feel that the Report is accurate, fair and addresses critical issues affecting the Hispanic community. Our recommendations can be realistically implemented by the City in the immediate future. There are other important issues which are not addressed in this Report. This

in no way implies that they are less important or pressing. Because of the scope and time constraints, those problems need to be considered by another forum.

We respectfully ask you to review the Report and evaluate its recommendations in light of the serious needs of the Hispanic community. Grave problems require courageous and immediate actions. The Hispanic community is at a turning point and in need of your leadership. You can count on our support.

Sincerely,

A handwritten signature in dark ink, appearing to read "Edgardo N. Vazquez", is written over a horizontal line that extends to the left and right.

Edgardo N. Vazquez

INTRODUCTION

On the night of the Mayor's victory in the September, 1985 Democratic primary, he thanked the Hispanic community for its overwhelming support of his candidacy and stated that he wanted to be measured by what he did for Hispanics over the next four years. Shortly thereafter on October 4, 1985, he announced the appointment of sixteen members of the Hispanic community to serve on the Mayor's Commission on Hispanic Concerns. The Commission was instructed to deliver a report setting forth specific steps which could be taken to address some of the serious problems faced by the City's Hispanic community in the areas of economic development, housing, education, health, criminal justice, City employment, and the manner in which the City delivers services.

The Report of the Mayor's Commission on Hispanic Concerns is the product of the public testimony of over 200 community service organizations, political leaders and interested individuals. In addition, the Commission, its subcommittees and staff, have held over 90 meetings with the Deputy Mayors, City Commissioners community leaders and interested residents. There have been many hours of discussions and debate among the Commission members and twelve months of research, evaluation, consultation, and writing by the Commission and the staff.

The Commission feels it extremely important that it underscore matters which are of special concern to the members.

First, during the year in which the Report was being prepared the social, economic and living conditions of disadvantaged Hispanic New Yorkers continued to deteriorate at a rapid pace. With an unemployment rate estimated above 13 percent over the past two years, an increasing percentage of our community moving ever more rapidly into poverty, a health care system which deals with Hispanic needs on a patchwork basis, a steadily deteriorating or vanishing housing stock, an educational system which has not served to enhance the opportunities for our children, a municipal economic development structure which shows little understanding of our business community, and City agencies which seem to typically

substitute public relations for real efforts to meet or even measure the special needs of the Hispanic community, the members feel strongly that the Mayor must move quickly to evaluate and/or implement the Commission's recommendations.

Second, over the past forty years there have been several reports at the Federal, State and City levels regarding the problems faced by the Hispanics and solutions proposed to these problems. Beginning with Mayor O'Dwyer in the 1940s, each of the successive Mayors have had various forms of Hispanic taskforces or committees which have sought to address many of the same problems identified by the Commission. In some instances, these other groups made recommendations which may be similar to those included in this Report. Unfortunately, there was no monitoring to examine whether the recommendations were implemented, modified or simply forgotten.

The Commission has concluded that an adequate monitoring mechanism is necessary to review the objections by different agencies, the progress made on implementation, the effectiveness of new efforts, and what remains to be done. Officials should be held accountable for their actions and for their lack of initiative. The members of the Commission feel strongly that without some kind of formal monitoring mechanism this entire project will have been like those that have gone before it -- a consciousness-raising exercise instead of an effective vehicle for change. Each of the Commissioners feels a level of public accountability for the Report and what the City agencies do with its recommendations.

There are many different ways in which the implementation of the Report could be monitored. The Mayor could appoint a smaller group from the Commission members to meet on a quarterly basis to work with the Mayor's Office of Operations to monitor implementation. Another approach would be for the Mayor to appoint another group of private sector individuals for the purposes of monitoring. The important thing is that the results of the monitoring be made public and that a group of nongovernmental persons be included in the review process.

Third, this Report contains several recommendations covering each area of concern. The Commission thought it important to prioritize certain recommendations which it considered to be most important. Set out below is a listing of the Commission's critical recommendations. A complete presentation of the problems and detailed exposition of the recommendation are set out in the text.

Education - The social and economic advancement of Hispanic youth depends on their educational advancement. Yet, the dropout rate in the Hispanic community is the highest of all ethnic and racial groups in New York City. The Commission recommends various initiatives to reduce the Hispanic dropout rate. These include: institutionalized accountability for student retention; expanded mentoring programs, increased parental participation in schools; the use of the media as an educational tool; expanded sex education courses; expanded services for teenage parents; and a review of the Board of Education bureaucracy. Further, the Board of Education must ensure that all entitled students receive bilingual education. It is unacceptable that during the 1984-85 school year 15,000 entitled students received no bilingual instruction. Finally, school overcrowding must be eliminated in Districts 6, 10 and 24. Long-term overcrowding in these districts has destroyed the quality of education for many of these students.

Economic Development - The Commission concluded that the City's economic decisions are decisive in the long range to the development of the City's Hispanic communities. To date, however, the City's economic development efforts addressed at the Hispanic community have not been adequately focused or were nonexistent. The Commission recommends the creation of the Hispanic Economic Development Office (HEDO) and placing responsibility for advocating on behalf of Hispanic businesses within the newly created HEDO. HEDO would advocate on behalf of business interests in general, conduct training for the full range of the City's Hispanic businesses and work to identify individual development projects in the City's Hispanic communities. HEDO would report directly to the Deputy Mayor for Finance and Economic Development and work in conjunction with the City's economic development agencies.

In addition, the Commission urges the City to take into account the integrity of the relevant Hispanic community and Hispanic businesses in approving sole source sales or restricted auctions of City-owned parcels of land in economically depressed Hispanic communities.

Housing - The City's in rem housing stock constitutes the single biggest resource for low and moderate housing. In East Harlem alone the City owns 1,630 occupied units and 2,790 vacant units. The Commission recommends that the City establish a demonstration project in East Harlem to rehabilitate 70 percent of the vacant in rem units in that neighborhood for low and moderate income housing. The East Harlem Demonstration Project can be used as a blueprint for the rehabilitation of in rem units in other Hispanic communities. In addition, the City must take aggressive steps to prevent homelessness by focusing on housing court reforms and funding legal service programs to represent individuals or families who are at risk of becoming homeless.

Hispanic Public Benefit Corporation - The City should prepare and introduce legislation creating the Hispanic Public Benefit Corporation (HPBC). HPBC would have powers similar to the New York State Urban Development Corporation. It would initiate, finance and develop low and moderate income housing and foster economic development projects in the City's economically depressed Hispanic communities.

Private Employment - The Mayor should develop an executive order which would provide for training opportunities for the unemployed from those developers and corporations which receive special incentives from the City for development.

Hispanic Employment in New York City Government - After reviewing the available statistics, the Commission concluded that Hispanics are grossly underrepresented in the City's managerial and non-managerial work force when compared to the relevant available work force city-wide. Without the benefit of an analysis comparing each title to the relevant available work force the Commission could not draw any further conclusions. The overall figures do, however, indicate that the City's

equal employment opportunity practices need to be significantly improved. It is necessary that the City establish performance objectives as a means of determining whether its equal employment opportunity program is in fact working. It is also critical that the City have an effective equal employment opportunity monitoring mechanism. The Commission concluded that the monitoring currently conducted by the City Commission on Human Rights' Government Employment Division is grossly inadequate and that the function should be moved to an independent office directly accountable to the Mayor.

Health - Hispanics rely heavily on the services provided by the 11 hospitals administered by the Health and Hospitals Corporation (HHC). For example, more than 40% of inpatient discharges at Bellevue, Bronx Municipal, Lincoln, Metropolitan, North Central, and Woodhull hospitals are Hispanic. HHC states that it cannot attract sufficient bilingual/bicultural personnel. The Commission recommends two programs that HHC can implement to bridge these language and cultural barriers which affect the delivery of health services to Hispanics. First, the Commission recommends the creation of a pre-residency program for Spanish-speaking foreign medical school graduates. Second, the Commission also recommends the establishment of a physician assistant training program for Spanish-speaking graduates of foreign medical school graduates.

Criminal Justice - The Commission strongly recommends that the City urge the State to devote more funds to end the long waiting list for both methadone treatment for heroin addicts and residential treatment programs for cocaine and crack addiction. For the State and federal government to not provide these necessary funds is unconscionable.

Delivery of City Services - The Commission recommends that the City require its agencies to take concrete steps to ensure that Hispanics are receiving equal services from City agencies. This will require the keeping of statistics as to the relevant service population. In addition, the Commission recommends the establishment of a Spanish-speaking information hotline.

Language Services - All City agencies must develop and submit language access plans which outline their future efforts to meet the needs of the limited English speaking population which use the agency's services.

SUMMARY OF FINDINGS AND RECOMMENDATIONS

CHAPTER 1: EDUCATION

FINDINGS

1. The dropout rate in the Hispanic community is the highest of all ethnic and racial groups in New York City. A recent study released by New York State University estimates that the dropout rate for Hispanics state-wide is 62 percent.

2. The Board of Education does not compile dropout statistics according to ethnicity. It does, however, acknowledge that the Hispanic dropout rate is higher than the city-wide average of 35.3%

3. Programmatic changes alone will not reduce the Hispanic dropout rate. There are inherent problems within the Board of Education bureaucracy which do not allow principals, administrators and teachers the flexibility to address problems in an expeditious and creative manner.

4. The Board of Education has not institutionalized system-wide accountability for student retention. The Chancellor's plan to establish minimum standards is an important step in this direction. Accountability can also be built into the system by eliminating principal tenure and reviewing their appointment every four years.

5. The Board of Education has not taken full advantage of its Mentoring Program as a retention tool for Hispanic students that are at risk of dropping out.

6. The media is a potential ally that has not been used effectively to lower the dropout and illiteracy rate. It is estimated that by the time a child graduates from high school, he or she has been exposed to over 15,000 hours of television viewing in contrast to 10,000 hours of classroom instruction. The powerful tool of television has been underutilized.

7. Studies show that children whose parents are involved in their education tend to do better in school than children whose parents show peripheral interest. Many schools recognize this but have not implemented successful plans to encourage parental participation.

8. In the past, alternative high schools have not been treated on an equal footing with other high schools. For example, principals at alternative high schools are paid at a rate substantially below that of other high school principals. This inequity must be corrected if these students are not to be treated like second rate students at second rate schools.

9. Last year approximately 35,000 teenage girls became pregnant in New York City. Hispanic teenagers account for almost 40 percent of the births to mothers in that age group. Misconceptions about birth control, pregnancy and parenting can only be eliminated by a vigorous teaching effort.

10. The New York City Board of Education has failed in its legal and social obligation to provide a adequate program of bilingual instruction. The Office of Bilingual Education reported that during the 1984-85 school year, 113,831 students were legally entitled to bilingual education or English as a second language instruction. Approximately 72 percent of these students speak Spanish as their first language. Approximately 15,000 entitled students receive no bilingual or English as a second language instruction. Moreover, 29,000 students had incomplete records and the Board of Education was unable to determine whether they were actually participating in a bilingual program.

11. The Board of Education admits that it has been unable to provide many limited English proficient students with bilingual education because of a severe shortage of bilingual teachers.

12. The Office of Bilingual Education does not have the staffing capability to monitor bilingual programs in schools. Consequently, compliance with bilingual education requirements varies significantly among community school districts and among high schools.

13. At present limited English proficient students are steered to the few high schools that have bilingual programs. The result is that these students have limited access to diverse curriculums and career opportunities.

14. Three of the five most overcrowded districts in the City have predominantly Hispanic enrollments: in District 6, which is 80.4 percent Hispanic, 15 out of 16 schools are functioning at or above 100 percent capacity; in District 10, which is 59.3 percent Hispanic, 33 out of 37 schools function at or above 100 percent capacity; and in District 24, which is 39.5 percent Hispanic, 19 out of 25 schools function at or above 100 percent capacity. The overall utilization rate for all schools city-wide is only 80.4 percent.

15. The long term overcrowding has destroyed the quality of education for students in overcrowded districts. For example, tests indicate that only 46.7% of students in the third to ninth grade in District 6 read at or above grade level. This is the lowest average reading score of any district in the City.

16. There have been plans to construct an additional elementary school in District 6 for over ten years. The Board of Education, however, states that the earliest date of completion for the school is 1989. The delayed construction of the school will not solve the overcrowding. The Department of City Planning estimates that enrollment in District 6 will increase 20.6 percent by the 1989-90 school year.

17. The demand for adult English as a second language classes far exceeds the number of available courses. It is estimated that there are 9,000 non-English speaking adults on waiting lists to get into an English as a second language course at CUNY or one of the community-based organizations that offer such services.

18. The Commission visited several schools and was appalled by their physical condition. One principal reported that their school was mopped only three times a year. Part of the problem is that school custodians are not directly accountable to the principals of each school. Another problem is that the Division of School Buildings is slow to make necessary repairs.

19. Approximately 75 percent of incoming first year students at CUNY are in need of remedial courses. Approximately 20 percent of CUNY's resources are used for remedial programs. This amount, however, is insufficient to meet the need.

20. The lack of Hispanic representation on the Board of Education has generated anger and frustration within the Hispanic community. At present there is no established recruitment procedure to guarantee that qualified Hispanic candidates are located.

21. More than one third of the 288 members of community school districts are employed by either the school boards, the central Board of Education or are officials of political parties. The fact that the community school boards have such a large number of members that are not independent makes the school board ripe for political tugs of war which divert attention from its educational mission.

RECOMMENDATIONS

Dropouts

1. That the City's dropout rate be tabulated according to race, ethnic origin and language spoken at home, in order to provide the Board of Education with sufficient information to tailor dropout prevention programs to the specific needs of Hispanic students.

2. That the Board of Education establish a panel composed of concerned parents and educational experts to work with an independent consultant to evaluate the bureaucratic procedures that impair a principal's ability to resolve problems expeditiously. The panel's objective would be to recommend changes to streamline procedures and allow principals more flexibility to act on local school concerns.

3. That the Chancellor create incentives for student retention by offering concrete rewards for schools that improve their retention rate. Incentives such as cash bonuses for special equipment or activities should be considered.

4. That the Board of Education seek to eliminate lifetime principal tenure and review principals' contracts every four years for the purpose of removing principals with unsatisfactory performance. That the improvement of a school's student retention rate be a fundamental element of the review.

5. That the Board of Education and the City target funds for the expansion of the Mentoring Program. That the program make a concerted effort to recruit more Hispanic students and mentors.

6. That the Board of Education and the Mayor aggressively recruit the assistance of the media for:

- Advertisements and programs that stress the importance of parental involvement in a child's education and that inform parents of possible methods of participating with their children in school activities.
- Public service announcements on television and radio during prime viewing hours that reinforce the importance of Hispanic students obtaining a high school diploma.
- Production of a bilingual documentary to underscore the dropout crisis among Hispanic youth.
- Creation of a bilingual campaign along the lines of ABC Television's "An American Portrait," to honor New York City's Hispanic students, faculty and staff members.

7. That the Board of Education contract with community-based organizations to organize school outreach efforts to the Hispanic community in order to motivate parents to become more involved in their children's education. That this outreach effort focus on personal contacts such as home visits and telephone conversations.

8. That the salaries of alternative high school principals be raised to the level of other high school principals. That the Board of Education eliminate internal policies which stigmatize alternative schools.

9. That the number of alternative schools be increased to meet the needs of those seeking admission. That college collaborative schools be established at each CUNY campus and that the Board of Education and the City seek to establish these schools at private colleges and universities throughout the City.

Teenage Pregnancy

10. That the Board of Education move forward in its determination to decrease teenage pregnancy in New York City through effective sex education.

11. That the Board of Education closely monitor the implementation of the sex education curriculum which it has recently made compulsory for all public school students.

12. That the Board of Education commence bilingual outreach efforts to educate parents on the purpose of its sex education program.

13. That family planning services, including individual counseling and referrals, be made available to all junior high school and senior high school students at their schools.

14. That schools: allocate sufficient time for health resource coordinators, and other health professionals; ensure that adequate facilities are made available for private consultations; and facilitate the dissemination of information regarding available health services to students.

15. That the City fund day care centers in those schools with the highest rate of teenage pregnancy.

Bilingual Education

16. That the Board of Education combine an aggressive and continuous media campaign to recruit bilingual teachers on college campuses, city high schools, in community-based organizations and in all accredited universities in Puerto Rico and Spanish-speaking countries.

17. That the City and the Board of Education initiate a pilot program to provide temporary housing for teachers from Puerto Rico and Spanish-speaking countries.

18. That the United Federation of Teachers' Career Ladder Program, which pays paraprofessionals to pursue a teaching degree within the CUNY system, expand its Hispanic participation.

19. That the Board of Education establish a formal exchange program with teachers and student teachers in Puerto Rico and Spanish-speaking countries where there is a shortage of English teachers.

20. That the Board of Education closely supervise teachers providing bilingual classes without a license in that area and provide incentives for certification.

21. That the Board of Education strictly adhere to its "Action Plan for Upgrading, Monitoring, Management and Programs for Limited English Proficient Students" to enforce uniform compliance with the legal requirement that every entitled limited English proficient student receive a bilingual education or English as a second language instruction.

22. That the Board of Education target those school districts and high schools with the poorest records of providing bilingual education for immediate evaluation and school visits.

23. That the Board of Education institute a system of vigorously enforced sanctions against those schools or districts which do not comply with the requirement that every entitled limited English-proficient student receive bilingual education or English as a second language instruction.

24. That the Board of Education increase the monitoring staff of the Office of Bilingual Education to allow the office to conduct thorough yearly evaluations of each school.

25. That the Board of Education review and eliminate high school admissions criteria that discriminate against limited English proficient students.

26. That a yearly report be issued by the Board of Education on the progress made in creating bilingual vocational education programs. That the yearly report include plans of action to remedy any deficiencies.

Overcrowding

27. That the Board of Education accommodate projected increases in student enrollment and additional space needs resulting from educational initiatives by expediting the construction of five permanent schools in District 6, four permanent schools in District 10, and two permanent schools in District 24.

28. That the Board of Education and the City appoint an independent advisory committee composed of concerned parents, educational experts and representatives from the construction industry and financial community to assess the adequacy of the Board of Education's capital funding and to recommend plans for future needs. The committee will also consider and recommend alternative solutions to school overcrowding such as: redrawing school district boundaries, extending the school calendar and extending the school day.

29. That as an interim solution to overcrowding, the Board of Education reassess its prior rejection of school playgrounds, parks, and other areas for the construction of mini-schools in Districts 6, 10, and 24. That creative solutions to the space problem be aggressively pursued. For example, two-story mini-schools can be built in smaller lots and adjacent streets can be used as play areas where playgrounds are used for construction.

30. That the Office of Management and Budget approve bonus incentives for the completion of construction before the contracted deadline of schools in Districts 6, 10, and 24 as a mechanism for expediting the construction of new schools.

31. That, as a mechanism for expediting the construction of new schools, the Office of Management and Budget approve bonus incentives for the completion of construction before the contracted deadline of schools in Districts 6, 10, and 24.

32. That the construction of P.S. 48 in District 6 be expedited by increasing the number of Board of Education architects assigned to its design.

33. That sufficient funds be immediately allocated to convert the old 34th Police Precinct into a school for 600 students within the next 15 months. Close monitoring of this project by the Mayor's Office of Construction will be required to ensure that the renovation proceeds on schedule. The Board should consider turning the project over to a private developer on a "turn-key" basis.

34. That the Mayor's Office of Construction establish an inter-agency working group of the relevant City agencies to monitor the construction of all permanent schools and mini-schools in Districts 6, 10 and 24 to ensure that construction proceeds on schedule.

English and GED Classes

35. That the Board of Education make a concerted effort to expand its contracts with community-based organizations in Hispanic communities to provide adult English as a second language instruction and graduate equivalence diploma courses at public schools.

36. That English and Spanish graduate equivalence diploma courses and English as a second language courses be televised on the Board of Education's Channel 25 and other public service stations.

37. That the Board of Education develop and make available to the public self-instruction tools, such as audio and video cassettes, for English as a second language and graduate equivalence diploma courses.

Physical Conditions in Schools

38. That the Board of Education seek to give school principals direct supervisory authority over each school's custodial staff in its upcoming contract negotiation with the custodian union.

39. That the Board of Education carefully monitor the implementation of the Board of Education resolution dated June 23, 1960, which requires that all school principals evaluate their custodial staff three times a year.

40. That the pilot program initiated by the Board of Education in September 1986, which allows one school district in each borough to contract directly for repairs, be expanded to all schools if judged successful.

41. That the Board of Education initiate an "adopt a school" program where corporations support schools in need of repairs and contribute to their rehabilitation.

42. That a volunteer student custodial program be instituted in each junior and senior high school in the City. This program would serve the dual purpose of teaching students maintenance skills under the direction of school principals and developing student concern for and pride in the appearance of their school.

Limits on Admissions

43. That the New York City Board of Education and the Mayor urge the New York State Commissioner of Education to rescind any directive or guideline which limits the admission of minority youth to some City schools.

CUNY

44. That funds be designated to CUNY to ensure continuation and expansion to all eligible first year students of the Summer Pre-freshman Skills Immersion Program.

45. That child care programs be increased at CUNY campuses to allow single parents the flexibility to attend school.

Board of Education

46. That the Mayor and each of the borough presidents form separate screening panels for their appointments to the Board of Education. The screening panels will include parents and educators, who reflect the racial and ethnic mix of the City. The screening panel's function will be to actively recruit, interview, and submit nominations of eligible candidates. The final appointments will be made by the Mayor and the borough presidents from the list of qualified candidates.

47. That the Mayor introduce legislation which would make this selection process mandatory.

48. That voluntary compliance to this selection procedure be sought until legislation is passed.

Community School Boards

49. That the Mayor commence discussions with the UFT and the community school boards for the purpose of introducing legislation requiring that 75 percent of all those elected to community school boards be parents who reside in the school district.

CHAPTER 2: ECONOMIC DEVELOPMENT

FINDINGS

1. If the City's development resources are targeted to assist more Hispanic businesspeople, there will be more economic self-determination in the Hispanic community. By aggressively reaching out to Hispanic entrepreneurs, the City's economic development agencies will help the Hispanic community to realize the rewards that are currently enjoyed by so many others. By not effectively including Hispanic businesses in its economic development programs, the City will be working against the Hispanic community's efforts.

2. The extent of the City's larger and moderate-size Hispanic businesses is grossly underestimated by the City's economic development agencies. Members of the Commission were personally aware of over 200 Hispanic-owned firms in the City with sales of well over \$1 million per year. Further, Commissioners were aware of 30 to 40 firms with over \$1 million in sales a year that have left New York City in the last four years,

mainly to New Jersey. This has resulted in the loss of at least 5,000 direct and indirect jobs for Hispanics.

3. The primary responsibility for advocating on behalf of Hispanic businesses within the City's economic development agencies currently rests with the Hispanic Business Office of the Office of Business Development (OBD). As structured, the Hispanic Business Office cannot meet the diverse needs of the Hispanic business community. While the Office has served a valuable transitional role in highlighting the potential of an aggressive proactive entity acting on behalf of individual Hispanic businesspeople, its staffing and structural limitations are all too apparent. What is now needed is a separate unit within City government that is not under the oversight of the economic development agencies and is able to work with these agencies.

4. OBD is responsible for providing a wide variety of educational programs to familiarize businesspeople with modern business practices and services which the City has to offer. The uniform consensus among Commission members and others who were interviewed is that these educational programs are not focused, are ineffective and provide little real technical assistance. Apparently the most important purpose they serve is to familiarize the Hispanic business community with the fact that the City has an Office of Business Development.

5. The most publicly touted element of the City's "outreach" business programs is the Locally-Based Enterprise Program (LBE). The LBE program reserves 10 percent of all City construction projects for companies certified as LBE-eligible. To be eligible, a company must, among other criteria, be economically disadvantaged. This program is often portrayed as an alternative to the Minority Business Enterprise programs used by state and federal governments. The simple fact, however, is that, as reported by the Mayor's Office of Construction, only 45 (8.7%) of the 512 participating LBE firms have been Hispanic. Quite obviously, the program has not generated significant Hispanic construction business involvement. In 1977 a United States Census Report stated that there were 177 Hispanic construction firms in New York City. The program has either not been adequately marketed to the Hispanic business community or there is something intrinsically unappealing about doing construction for the City.

6. OBD provides assistance in locating real estate to industrial and commercial companies which employ more than ten persons and that are relocating to or within the City. The Office maintains the Space Bank, the largest computerized listing of industrial and commercial space in the City. To date, the program has been very successful in relocating over 240 firms within the City resulting in the retention of over 9,400 jobs. However, it has had very little impact on the Hispanic business community since many Hispanic entrepreneurs are small businesspeople with fewer than ten employees.

7. The City, working with the Manhattan Borough President, has applied for an opportunity zone, pursuant to the New York State Economic Development Zones Act, in East Harlem. The East Harlem zone will run along 125th Street between Fifth and First Avenues and along

Park Avenue from 125th Street to 135th Street. The Commission is disappointed that the proposed opportunity zone for Manhattan submitted by the City's Office of Economic Development and the Manhattan Borough President did not include a significant portion of the East Harlem Hispanic community. While the zone was located in East Harlem, boundaries excluded the Hispanic business community from participation in the program.

8. After an extensive review of the programs offered by the Public Development Corporation (PDC), it is the Commission's view that although PDC has undertaken an occasional program aimed at the Hispanic business community, the Corporation has failed to encourage the development of Hispanic business interests or to reach out to the growing Hispanic financial community. The Corporation's mission is not only to handle large-scale development projects but to meet the needs of medium-size Hispanic businesses which desire to purchase City-owned vacant land and seek incentives for commercial development. This perceived neglect has created a sense among Hispanic businesspeople that PDC is either insensitive or unaware of the needs of Hispanics.

9. The City of New York owns over 13,000 parcels of vacant land throughout the five boroughs, many located in Hispanic communities. The City's goal is to move these properties back into private hands to be put to productive use, thereby generating new jobs and increased tax revenues. The City transfers property to PDC for sale on a sole source basis to firms needing it for business purposes. In making such a decision, PDC examines factors such as the number of jobs created and project feasibility. The sale price is usually the appraisal. It is the view of the Commission that in determining whether to approve a sole source purchase that is in one of the City's disadvantaged Hispanic communities, the City must recognize that the particular community -- and the Hispanic business community City-wide -- have a clear stake in the land's disposition. For instance, they will want to know what the land will be used for, confirm whether the use is consistent with the character and business needs of the community, and ascertain whether the business involved will be using Hispanic business assistance to a significant degree.

10. The Commission has concluded that there is an inadequate representation of the views of the Hispanic business community on the Board of PDC. The Commission was advised that there is only one Hispanic member raising Hispanic business concerns on the Board. Such a lack of representation can only be termed a lack of effort to tap the growing potential of the Hispanic business community.

11. The Financial Services Corporation's (FSC) Industrial Development Agency (IDA) issues tax exempt Industrial Development Bonds (IDBs) which are purchased by financial institutions, sellers of real property or private investors and provide funds for developing businesses. Only one Hispanic business has been able to obtain a bond from the IDA program, and that was in 1978. This is largely because the program was strictly aimed at large businesses with the average bond being \$1.9 million.

12. The most touted FSC program aimed at minorities to emerge in the last several years is the Small and Minority-Owned Construction Firm Working Capital Loan Guarantee Program (SMOC). SMOC was created to help construction firms get the working capital needed to secure bonded contracts and build solid relationships with financial institutions. Thus far, however, FSC has only approved nine firms for \$350,000 of loan guarantees. The program has been unsuccessful for many reasons, all of which could be solved if the necessary attention and resources were dedicated to it.

13. What is lacking is a program that provides working capital loans to small and medium-size Hispanic businesses doing business with the City. The State has recognized this need in creating the Minority Revolving Loan Fund, which states that it will provide working capital and fixed asset assistance to minority and women-owned enterprises in New York State. There is a large need for such funds among Hispanic firms wishing to do business with the City. The City, however, must develop its own program directed at the needs of locally based minority enterprises doing business with the City.

14. Considering the small amount of financial assistance FSC has provided to the Hispanic business community, FSC should monitor how it deals with Hispanic businesspeople seeking its financial assistance in order to determine the adequacy of the service rendered and what other solutions can meet the business person's need.

15. The Division of Real Property (DRP) of the Department of General Services holds quarterly auctions of property for sale or long-term lease. It is the Commission's view, however, that in selling vacant parcels in economically depressed Hispanic communities, the City must provide restrictions which give a preference to bids utilizing the property in a manner consistent with the character of the Hispanic community and make good faith efforts to use Hispanic labor. Such a restriction may limit the universe of interested buyers. The gain for the City is that both the integrity of the Hispanic character of the community will be maintained and that the use of Hispanic businesses can only help to further the overall economic well-being of the Hispanic community.

16. Probably no area is of greater concern to the Hispanic business community than the delays encountered in sole source purchases of City-owned land for commercial use. The process can take anywhere from one to two years -- a real problem for the medium-size businessperson who needs City land quickly because of a forced relocation or the necessity of a rapid expansion to an adjacent site. The effect of this lengthy process is to make it very difficult for small businesspeople who need to move to stay in business. Unlike larger corporations with substantial credit lines and other financial "cushions," the purchase of a particular City lot may be a matter of life or death for the small or medium-size businessperson. Many small businesses go under or are forced to relocate outside the City because of an inability to sustain themselves until the land purchase is approved.

17. Another matter of vital importance to the economic well-being of the Hispanic community is the growing problem of rent

structures gone awry in neighborhood retail store strips. Hispanic neighborhoods have for years felt the impact of the closing of stores as population and purchasing power decreased. Today, many Hispanic communities are experiencing further reductions in essential retail services as neighborhoods improve. Rental space rates quickly soar as up-market boutiques and bistros replace more essential retail outlets.

RECOMMENDATIONS

1. That the Mayor issue an executive order creating the Hispanic Economic Development Office (HEDO) which would replace the Office of Business Development's (OBD) Hispanic Business Office. HEDO would report directly to the Deputy Mayor for Finance and Economic Development. This new office would have primary responsibility for advocating on behalf of Hispanic businesses for economic development in the City's Hispanic neighborhoods through existing City economic development entities and in cooperation with the newly created Hispanic Public Benefit Corporation. While not assuming any of the authority of the existing economic development agencies, HEDO would move the decision-making accountability to a higher level than currently exists and would enhance its advocacy abilities through a direct reporting relationship to the Deputy Mayor.

2. That an advisory board be established to work with the Deputy Mayor for Finance and Economic Development to define and assign priority to the needs of the Hispanic business community and to define HEDO's staffing, budget and other needs. HEDO must be adequately funded and staffed with experienced and competent officials. After the establishment of HEDO, the Board would serve in an advisory capacity to the agency.

3. That HEDO assist in the development and growth of merchants' associations and local development corporations in Hispanic communities by providing technical services and targeting available City resources meant to assist such organizations.

4. That HEDO serve as a resource center for information regarding the City's Hispanic business community through the collection and analysis of data for use in programmatic decision-making.

5. That educational and technical assistance programs sponsored by OBD for the Hispanic business community be transferred to HEDO. Such programs should be reviewed by an independent consultant to ensure that they provide training that assists Hispanic businesspeople in dealing with actual business problems.

6. That a more focused effort be made by OBD together with the HEDO to have Hispanic construction registered as Locally-Based Enterprises. If this effort is unsuccessful, the City must submit state or local legislation to adopt programs similar to that of the State and federal government which requires set-asides for minority business enterprises on City construction sites.

7. That the HEDO and OBD aggressively market the newly enacted Small Business Enterprise program by supplying Hispanic businesses with a listing of all categories of goods purchased by each City agency. If such efforts produce few results for Hispanic businesses, as with the Locally-Based Enterprises program, the City must adopt a similar set-aside program in the services area.

8. That OBD with HEDO expand the Space Bank to include retail space for small businesses which employ less than ten persons. A pilot program should be developed in order to identify the administrative difficulties in setting up such a referral program.

9. That the Mayor and the Manhattan Borough President recommend to the State that a Hispanic subzone be added to the currently submitted Opportunity Zone for East Harlem.

10. That the Mayor appoint an advisory committee of Hispanic businesspeople and community leaders to work with the City in the future implementation of the New York State Economic Development Zone Act.

11. That the Board of Directors of the Public Development Corporation (PDC) create a committee to work with HEDO to encourage the development and implementation of programs for minority businesses. The committee would also work with the HEDO to improve PDC's outreach efforts, increase program activity, enhance development initiatives, and provide better relations with the Hispanic community. This committee should present a concrete plan of action to the Board of Directors within three months.

12. That, in determining whether an overriding public purpose exists for a sole source land sale in East Harlem and other disadvantaged Hispanic neighborhoods, PDC must include a review of whether the sale will maintain the Hispanic integrity of the community, involve the significant use of Hispanic businesses and create jobs for community residents. HEDO should be responsible for providing such information and input to PDC and other relevant agencies. If the City decides to proceed with the sole source sale, then the Hispanic community or Hispanic developer must also be given the right to bid competitively on the land. This right to bid would also be made available to non-Hispanics who meet this criteria. This would, in effect, convert a sole source purchase into a restricted bid sale or a request for proposals with the Hispanic bidder being held to all the same criteria as any other interested party.

13. That Hispanic membership on the PDC Board of Directors be increased and that the Board work closely with HEDO in improving PDC's outreach efforts and enhancing Hispanic development initiatives.

14. That the Financial Services Corporation (FSC) assist small to medium-size Hispanic businesses through pooled Industrial Development Bonds. Five of these packages should be issued to Hispanic businesses in fiscal year 1987 and 10 in fiscal year 1988.

15. That the City increase the budget of the Small and Minority-Owned Construction Firm Working Capital Loan Guarantee Program (SMOC) to \$3 million in 1987, in order to provide loan guarantees to

Hispanic construction firms. Further, if SMOC is to work, City officials, including the Mayor, must strongly urge financial institutions to provide working capital for companies participating in the program.

16. That the budget for the Small and Minority-Owned Construction Firm Working Capital Loan Guarantee Program (SMOC) be increased to \$3 million in fiscal year 1987. FSC, working with HEDO, should retain complete responsibility for the program.

17. That City official, including the Mayor, strongly urge financial institutions to provide working capital for companies participating in SMOC.

18. That the Financial Services Corporation, working with the HEDO, develop a working capital loan program for firms doing business with the City as suppliers or contractors. Such loans will be secured by a lien on receivables and inventory rather than simply fixed assets. The need for such a loan program is too great for the Hispanic business community to rely solely on the State's program. The City should study the specific type of loans that are needed by New York City's Hispanic businesses and have a working capital loan program in the place by July, 1987 for those contracting with the City. The decision-making on loan applications should be made by FSC in consultation with HEDO.

19. That the outreach efforts of the Financial Services Corporation be evaluated on a yearly basis by an independent consulting firm to determine the effectiveness of its programs in the Hispanic business community. For those financial assistance programs identified as ineffective, FSC should work with HEDO to better target them or eliminate them. The results of such a review should be analyzed by HEDO and specific recommendations made for improvement of the record.

20. That the City auction parcels of land in economically disadvantaged Hispanic communities through a restricted auction process. The auction terms should require that the land be used in a manner consistent with the character of a particular Hispanic community and that the developer seek to maximize the use of Hispanic businesses in the construction of the project. Such auction restrictions and any necessary legislation should be developed by Division of Real Property, Department of General Services in conjunction with HEDO.

21. That the Department of Ports, Terminals, International Trade and Commerce develop a plan for the creation of a new Hunts Point facility on the 60 acres next to the Hunts Point Market. This facility would provide an incubator for small, innovative firms and space for additional wholesalers. Specific efforts should be made to attract Hispanic wholesalers and Hispanic businesses which meet the criteria for such incubator space.

22. That the City and appropriate legislative bodies make the changes necessary to redesign the procedures for the purchase of small parcels of City land for economic use to eliminate existing delays.

23. That the Mayor appoint an advisory group to recommend legislative and regulatory changes that will enable the small- and

medium-size businesses to receive an expeditious response as to whether small land purchases of City-owned land can be made. The study group should submit its report to the Mayor within six months.

24. That, in order to address the expressed frustration at the process of acquiring land from the City, there be regular communication with the interested purchaser and with other relevant agencies involved with the process. If the particular site is unavailable, there needs to be additional outreach to help Hispanic businesspeople obtain alternative sites.

25. That the City's principal economic development agencies continuously work toward assuring that affordable retail space for essential services is available in all neighborhoods. HEDO together with the appropriate City agencies should report to the Mayor within six months as to how this can be accomplished.

CHAPTER 3: HOUSING

FINDINGS

1. The stability of Hispanic neighborhoods is an essential thread in the fabric that can help Hispanic families stay intact. While there are indications that the housing condition of the City's Hispanics has improved from 1981 to 1984, 7.6 percent of Puerto Rican households live in "dilapidated" housing, and 32.5 percent of Puerto Rican rental units have three or more maintenance deficiencies. This is in contrast to the 1.3% of White households living in dilapidated units and 11.2% of White households renting units with three or more maintenance deficiencies. These deteriorated conditions are further aggravated by overcrowding and the hidden homelessness of those who are forced to double up with friends and relatives.

2. The City's in rem housing stock consists of 120,000 units of which 38 percent are occupied. These units constitute the single biggest resource for low and moderate-income housing in New York City.

3. Real estate appreciation and the popularity of Hispanic neighborhoods such as East Harlem, the Lower East Side, Williamsburg, Jackson Heights, and Sunset Park are threatening an alarming number of Hispanic occupied rentals. The City owns a large amount of property in most of these neighborhoods. For example, in East Harlem alone, the City owns 4,420 units. Without strict control of the disposition procedures used to transfer the in rem units, these neighborhoods will become further targets of speculation and community displacement.

4. The Department of Housing Preservation and Development (HPD) manages approximately 3,898 occupied in rem buildings with 33,444 occupied residential units. Thirty-four percent of the in rem tenants are Hispanic.

5. HPD has underutilized the available resources within the Hispanic professional community to address the housing needs of Hispanic New Yorkers.

6. At the Commission's public hearings, numerous speakers expressed concern that housing court was functioning more as a collection agency for landlords than as a court of law whose main task is to enforce landlord-tenant law in an evenhanded manner. The overwhelming number of respondents in eviction proceedings are welfare recipients and the working poor, many of whom are Hispanic. Adequate legal representation must be provided to those families that are at risk of becoming homeless. Such legal representation can save the City millions presently spent in providing hotel rooms for Hispanic homeless families.

7. Hispanic families are frequently the victims of housing discrimination. Potential buyers and renters, particularly in Staten Island, are steered away from certain neighborhoods and buildings. Hispanic homeowners must be informed of their rights.

RECOMMENDATIONS

Vacant In Rem Buildings

1. That the City preserve 70 percent of its vacant in rem buildings for low and moderate-income housing in the South Bronx, East Harlem, the Lower East Side, Williamsburg, Sunset Park and Jackson Heights. This percentage reflects the Mayor's budgetary set aside for low and moderate-income housing set forth in the Ten Year Plan.

2. That the City reserve 70 percent of its vacant lots in the South Bronx, East Harlem, the Lower East Side, Williamsburg, Sunset Park and Jackson Heights for construction of moderate and middle-income housing, the funds of which will be used to subsidize low income rehabilitation.

East Harlem Demonstration Project

3. That the City establish a demonstration project in East Harlem to rehabilitate 70 percent of its 2,790 vacant in rem units for low and moderate-income housing.

4. That as a part of the East Harlem demonstration project, HPD develop a community plan aimed at using vacant in rem housing to stop Hispanic displacement in that community.

5. That as part of the East Harlem demonstration project, HPD dispose of vacant in rem buildings through the following mechanisms:

- A private Hispanic business organization that could develop and manage affordable housing in cooperation with community-based organizations.
- A general contractor or construction manager who could renovate the units pursuant to a contract which sets forth the total cost. The contract could also specify that upon completion of the units, the general contractor or construction manager would sell the units

to a community-based organization for a set price. The funds for this purpose would be provided by the City.

- A neighborhood mutual housing association that could develop and manage affordable rental units.

6. That HPD use the East Harlem demonstration project as a model to develop neighborhood plans to guard against Hispanic displacement by direct or indirect City actions in the following areas: the Lower East Side, Williamsburg, Sunset Park, the South Bronx and Jackson Heights.

7. That HPD initiate corporate sponsorships of particular in rem buildings that are suitable for sweat-equity rehabilitation of low and moderate-income housing.

Occupied In Rem Buildings

8. That the City allocate funding to HPD's Division of Alternative Management and other property management programs to enable them to expand cooperative conversion of occupied in rem units.

9. That HPD make an aggressive outreach effort to recruit more predominantly Hispanic buildings into the Division of Alternative Management and other property management programs

Permit Procedures

10. That in performing its duties to streamline the procedures related to Housing construction and renovation, the Mayor's Office of Housing Coordination focus on facilitating the participation of small Hispanic businesses, contractors, and developers in the City's housing initiatives.

Mayor's Ten Year Plan

11. That HPD, and such private entities as the New York City Housing Partnership, include Hispanic developers, contractors, bankers, entrepreneurs and financial brokers in the implementation of the Ten Year Plan.

12. That HPD provide training to Hispanic developers, business people and community-based organizations that wish to respond to requests for proposals.

Homeless Prevention and Housing Court

13. That the City, using State and local funds, establish an expanded homelessness prevention legal representation project in Hispanic communities such as the Lower East Side, East Harlem, Williamsburg, Sunset Park, Jackson Heights and the South Bronx To carry out the following tasks:

- Represent all eligible individuals regardless of their citizenship status.
- Develop and implement criteria to identify those public assistance and low-income clients who are most likely to become homeless.
- Develop and implement plans to train marshals, court personnel, and appropriate HPD and Human Resources Administration personnel on how to use the established criteria to make referrals to the project.
- Staff the project with Spanish-speaking attorneys, paralegals and support staff.

14. That HPD and the Human Resource Administration (HRA) work with the Office of Court Administration, Chief Administrative Judge Joseph Bellacosa and Judge Israel Rubin, Administrative Judge of the Civil Court of the City of New York, to develop administrative processes to maximize the effectiveness of legal representation of low-income Hispanics and to physically integrate HRA's emergency relief units into the housing courts of each borough.

15. That all stipulations between landlords and tenants in which the tenant agrees to give up their apartment be explained before a judge to ascertain whether the parties actually understand and agree to the terms of the stipulation.

16. That sufficient interpreters be available assist where necessary in all housing court proceedings, including the settlement process.

17. That bilingual Housing Court notices, including those informing tenants that a default judgement has been entered against them, be sent in all cases.

18. That the New York City Commission on Human Rights initiate investigations concerning housing discrimination against Hispanic buyers and renters in Staten Island and other boroughs.

19. That the New York City Commission on Human Rights make special outreach efforts into the Hispanic community to inform them of their legal rights as prospective buyers or renters of real property.

CHAPTER 4: HISPANIC PUBLIC BENEFIT CORPORATION

FINDING

The Commission has concluded that the City and State governmental programs aimed at promoting economic development and housing in Hispanic communities have had limited success and are unlikely to produce significant change. More lasting structural changes are needed

in governmental institutions that create and manage Hispanic economic development and housing programs -- changes which can maximize self-determination in the City's Hispanic communities and which can create political and economic momentum.

RECOMMENDATION

That the City prepare and introduce legislation creating a Hispanic Public Benefit Corporation based on the powers provided to the New York State Urban Development Corporation. Such an idea has been endorsed in principle by groups which have thought seriously about long-term solutions that would enhance Hispanic economic development and housing availability. The Hispanic Public Benefit Corporation will have several powers including assembling and selling publicly owned sites and buildings through the request for proposal process or on a negotiated basis, waiving local building codes and zoning requirements if compliance is not feasible, hiring personnel in a manner which is exempt from Civil Service law requirements, etc.

CHAPTER 5: PRIVATE SECTOR EMPLOYMENT

FINDINGS

1. Despite gains in the City's overall employment, there is a continuing high level of Hispanic unemployment. In 1985, Hispanic unemployment in New York City was 13.4 percent, compared to an overall national Hispanic unemployment rate of 10.5 percent.

2. Job growth is not matching the employment needs of the City's rapidly growing Hispanic population. New York City's Hispanic population over age 16 has increased from approximately 8.5 percent of the total population in 1960 to 17.4 percent in 1980. This job growth is primarily in the service and financial sectors -- sectors which require a high level of education -- whereas the industries where Hispanics are more likely to be employed are either declining or show less substantial growth.

3. In addition to this contraction of the labor markets where Hispanics have been employed, there are a number of other factors that result in Hispanic unemployment. These explanations include: job discrimination, concentration of Hispanics in the secondary labor market, the effect of limited English on job opportunities, the lack of child care and other support services for unemployed single mothers, and the failure of job placement and training programs to reach Hispanics.

RECOMMENDATIONS

1. That all companies receiving City subsidies or tax benefits for economic development projects be required to provide training for the unemployed. The Commission proposes that the Mayor prepare an executive order that would require that a specific number of training

opportunities be provided for a particular amount of subsidies received. If necessary, legislation should be introduced to establish such a program.

2. That job-related English classes such as Basic Occupational Language Training program be expanded to give the increasing number of limited English speaking ability workers a better opportunity to enter the job market.

3. That City Works funds currently used for purchasing building materials be redirected to create additional training opportunities for young persons.

4. That the Mayor urge the Governor and State and City legislators to allow trainees to be paid trainee-level wages on State construction sites.

5. That the Bureau of Labor Services establish a Trainee Support Unit to coordinate trainee programs and provide support to trainees on construction sites under E.O. 50.

CHAPTER 6: EMPLOYMENT IN NEW YORK CITY GOVERNMENT

FINDINGS

1. Hispanic New Yorkers, as a whole, are seriously underrepresented in the City's mayoral agencies when measured against the available civilian work force.

2. Of the 3,856 managers in City agencies in June 1986, 2990 (77.5%) were White, 617 (16.0%) were Black, 164 (4.3%) were Hispanic, and 85 (2.2%) were Asian. In comparison, the 1980 Census data indicates that 75.2 percent of the managers in the New York City civilian work force are White, 11.2 percent are Black, 8.7 percent are Hispanic and approximately 4.8 percent are Asian. This record indicates that the City's utilization of Hispanic managers is significantly below that of other employers in the New York City area. This 4.3 percent representation of Hispanics in 1986 is, however, a significant increase from the reported 1.9 percent representation of Hispanic managers in 1978.

3. The number of Hispanics in each City agency differs significantly, with most Hispanics concentrated in the social service agencies.

4. The current administration has increased the number of Hispanics working for the City's mayoral agencies from 5,618 in 1977 to 11,768 in 1985.

5. When analyzed by Equal Employment Opportunity (EEO) classification, few distinct trends emerge except that Hispanics seem to be heavily concentrated in the EEO Paraprofessional category. Within this category, the preponderance of Hispanics work as human service employees.

6. New Hispanic hires are primarily working in provisional positions earning less than \$20,000 per year. The City's new hires show, overall, an increasing number of Hispanics. The rate of new Hispanic hires, however, is not yet at a level where it approximates the available civilian work force. Therefore, it may be some time before the City's mayoral agencies approximate the representation of Hispanics in the City's nongovernmental sector.

7. At both the non-managerial and managerial levels, the greatest percentages of the City's Hispanics have been discretionary hires from outside the competitive civil service structure.

8. The Commission has concluded that the lack of any performance objectives by which to measure employment efforts hinders the ability of City agencies to meaningfully increase the representation of Hispanics.

9. The City does not have a coherent internal Equal Employment Opportunity program and that the Government Employment Division of the City Commission on Human Rights has been unable to effectively carry out its responsibilities. It has neither the staff nor administrative power to require that agencies develop effective remedial programs.

10. The EEO Officers, city-wide, are in need of a review to ensure that they had the proper authority, and that many require training in the basic skills needed to run an EEO program and conduct dispute resolution.

RECOMMENDATIONS

Utilization Analyses

1. That City agencies conduct utilization analyses by job titles as part of their EEO reporting responsibilities. To conduct these analyses, each agency should calculate the available work force in the job titles used and determine the extent of Hispanic underrepresentation. These analyses should be instituted in the first quarter of 1987.

2. That, using these analyses, the City require agencies to develop specific remedial plans where such underutilization of Hispanics is statistically significant from the relevant availability figure.

3. That remedial plans be monitored on a quarterly basis to ascertain whether they have been carried out.

4. That if Hispanic representation does not increase, the agency be required to implement changes in its remedial plan.

Equal Employment Opportunity Program (EEO)

5. That the responsibilities of the Government Employment Division of the City Commission on Human Rights be transferred to an office which is directly accountable to the Mayor. This office should have

the resources to effectively assist agencies in their efforts to recruit Hispanics for discretionary hiring, to increase the number of Hispanics taking civil service examinations, to analyze the EEO efforts of City agencies on a year-to-year basis, and to recommend sanctions regarding those agencies which do not cooperate with minimal EEO practices.

6. That the new Mayoral EEO Office be given authority to approve EEO Officer appointments, that it take responsibility for training and evaluating those officers, and that it ensure that EEO Officers have adequate resources to effectively perform their functions.

General Recruitment

7. That a working group be established to identify 25 titles to be the focus of a special Hispanic recruitment campaign. The working group should report to the Mayor in six months on specific steps to be taken to overcome the underrepresentation in these titles.

8. That the City enhance recruitment of Hispanics for competitive positions through more focused outreach, effective advertising and assistance in examination.

9. That City outreach efforts be evaluated by questioning applicants and those hired to determine the most effective strategies for recruiting Hispanic candidates.

10. That the Department of Personnel, the Mayor's Office, agency EEO officers, the CCHR and other relevant agencies combine efforts to devise strategies for additional recruitment efforts to attract Hispanic candidates.

Civil Service Exams

11. That the Department of Personnel advertise the schedule of City civil service exams in the major newspapers including Spanish-language and other newspapers.

12. That the City sponsor, either directly or indirectly, through community-based organizations, preparation courses for Hispanic candidates wishing to take City exams that address both the substance of the particular exam and the candidates fear of failure.

Discretionary Hires

13. That each Mayoral agency notify the Mayor's Talent Bank when filling a vacant discretionary position. If the Bank is notified only after the agency has a candidate, the agency should not be permitted to proceed with the hiring absent an explanation.

14. That agencies be provided with a list of mandatory recruitment sources developed by the City-wide EEO Office in conjunction with the Mayor's Office of Hispanic Affairs and the Bureau of Labor Services, that must be contacted regarding vacancies. The Mayor's EEO Office should conduct a review of the agency's recruitment efforts prior to

approval of the hiring by the Mayor's Office. By providing the list in advance, EEO recruitment efforts should not seriously delay the hiring schedule.

15. That the City place regular advertisements in The New York Times and other newspapers with classified employment sections directed at senior professional vacancies. By using a regular format and location, the City's advertisements will receive more attention from a wider variety of people and help the City's efforts to hire Hispanic professionals.

16. That the City regularly send minority and nonminority senior officials to graduate schools in public administration, education, and business and certain undergraduate institutions. The visits should include a presentation of the opportunities for creative and interesting work for professionals in the City and be followed by interviews on campus and in the City.

Managers

17. That the Mayor direct the Department of Personnel to devise a management internship program leading to the interns becoming managers in City government. Recruitment for the program should be targeted at Hispanics in graduate programs and in the private sector.

18. That the First Deputy Mayor for Operations report to the Mayor within 90 days on changes in the ways in which managers are hired through the civil service process which would facilitate the employment of Hispanic managers. The Commission recommends that the City provide more open competitive exams and redesignation of feeder titles. Should any of these actions necessitate changes in local or state law, the First Deputy Mayor should recommend necessary amendments to existing civil service law or the State Constitution.

CHAPTER 7: HEALTH

FINDINGS

1. Hispanics rely heavily on the services provided by the City's 11 municipal hospitals. More than 40 percent of inpatient discharges at Bellevue, Bronx Municipal, Lincoln, Metropolitan, North Central and Woodhull hospitals are Hispanic. In sharp contrast, only 8.7 percent of the Health and Hospital Corporation's (HHC) officials and administrators are Hispanic.

2. HHC physician recruitment, residency training and retention programs are provided through affiliation contracts with teaching hospitals associated with each of its facilities. At present the affiliation contracts do not address the issue of recruiting and retaining physicians who are trained in culturally sensitive treatment techniques or who have the ability to serve the language needs of each hospital's catchment area.

3. There is an acute shortage of Spanish-speaking personnel at the City's psychiatric units. Frequently janitors and patients' relatives are called upon to interpret for the doctor. Elmhurst Hospital is a shocking example of this problem. Although 19 percent of its admitted psychiatric patients are Hispanic, Elmhurst does not have one Spanish-speaking psychiatrist.

4. The Commission believes that the nationwide matching program used for selecting hospital residents discriminates against qualified foreign medical school graduates. This discrimination has a disproportionate impact on the Hispanic community, inasmuch as 60 percent of Hispanic physicians in New York City are graduates of foreign medical schools.

5. Research findings demonstrate that the mental health needs of many Hispanics are not being met by traditional institutions and methods of treatment because of language discrimination and the middle-class orientation of treatment.

6. As of October, 1986, 23 percent of all persons with AIDS in New York City were Hispanic. In addition, 32 percent of AIDS pediatric cases in New York City were Hispanic.

RECOMMENDATIONS

Health and Hospitals Corporation: Staffing and Training

1. That HHC formally designate as a top priority the recruitment and hiring of qualified Hispanics for high level policy making positions.

2. That HHC establish a formal selection panel of Hispanic health professionals to organize systematic recruitment of qualified Hispanic hospital administrators. The selection panel will be responsible for conducting searches for top level policy and administrative positions. HHC would provide the selection panel with resources to conduct national searches, as well as searches in Puerto Rico and Spanish-speaking countries. The selection panel would then submit resumes to HHC for consideration. HHC should report to the panel on the decisions made on its recommended candidates.

3. That HHC undertake an active and ongoing effort to recruit qualified Hispanic administrators by hiring professional recruitment agencies and formalizing ties with Hispanic professional organizations.

4. That HHC vigorously monitor the recruitment and retention of Hispanic medical students at the teaching hospitals it contracts with. That HHC scrutinize and approve the affiliates' equal employment opportunity efforts for medical students before it signs all affiliation contracts.

5. That HHC include specific provisions in its affiliation contracts to require that physician recruitment and placement reflect the

language needs and cultural background of the clients in each hospital's catchment area.

6. That HHC scrutinize and approve the affiliates' equal employment opportunity efforts for medical residents before it signs all affiliation contracts.

7. That HHC and the City allocate funds to provide training for culturally sensitive treatment techniques and Spanish-language skills to all physicians working in hospitals where 10 percent or more of the patients are Hispanic.

8. That the Health and Hospitals Corporation appoint more bilingual mental health professionals.

9. That HHC, in conjunction with the City, formally designate the Hispanic population as a high priority for receiving specialized care within the mental health system.

10. That HHC establish a formal selection panel of Hispanic mental health professionals to organize a systematic recruitment program for qualified bilingual and bicultural professionals in this field. HHC should provide the selection panel with resources to conduct thorough national searches as well as searches in Puerto Rico and Spanish-speaking countries. The selection panel should submit resumes to HHC for consideration. HHC should report to the panel on the decisions made on its recommended candidates.

11. That all municipal hospitals where Hispanic patients are 10 percent or more of the case load, be required to employ at least one Spanish-speaking psychiatrist and psychologist in each inpatient and outpatient mental health unit.

12. That HHC establish a pre-residency training program at its institutions for qualifying Spanish-speaking foreign medical school graduates. This program could start as a pilot project in psychiatry for 15 qualified candidates selected through a competitive process. Those selected would participate in a year-long training program and receive a stipend. The goal of the pre-residency program would be to offer these candidates the clinical experience which would make them more marketable in the nationwide matching program. In addition, HHC must make a commitment to offer the top graduates of this program a residency at its hospitals. In return for this opportunity the residents will commit themselves to work at HHC hospitals with a large concentration of Hispanics for a two-year period.

13. That HHC establish an independent committee composed of State and City representatives and medical professionals to monitor the pre-residency program and to assist in the program's implementation.

14. That HHC establish a pilot physician assistant training program at Lincoln Hospital and Woodhull Hospital with preference given to Spanish-speaking foreign medical school graduates.

15. That HHC establish an independent committee composed of State and City representatives and medical professionals to monitor the physician assistant training program and to assist in the program's implementation.

16. That HHC research and adopt the Los Angeles program which uses bicultural/bilingual paraprofessionals to bring the neediest segment of the Hispanic population into the mental health clinics and to maintain their motivation during treatment.

17. That HHC and the Department of Mental Health fund the creation of a Hispanic Research and Training Center at one of its affiliate hospital. The purpose of the Center would be to focus on:

- Evaluation and research on the effectiveness of alternative therapeutic modalities within the Hispanic population. Sponsor research that encourages the development of alternative diagnostic models and therapeutic techniques as an essential component of a vigorous effort to treat the Hispanic population.
- Training HHC personnel on the most effective approaches to treating Hispanic populations including techniques oriented towards coping skills and problem solving. Training is particularly important for non-Hispanic personnel.

18. That the City introduce its successful programs to other HHC facilities. The Roberto Clemente Family Guidance Center is a highly successful demonstration project operated by Gouverneur Hospital and funded by the Department of Mental Health. As a result of its discussion with the Commission, HHC has reported that it hopes to establish a similar program in the Bronx.

AIDS

19. That funding be allocated to wage a massive bilingual public education campaign about AIDS that is aimed at the Hispanic community. That original Spanish-language materials be developed and disseminated utilizing the existing Hispanic communication and support system.

20. That community organizations, such as the Hispanic AIDS Forum be consulted regarding the development of policies and the allocation of funding for programs to address the AIDS epidemic.

Alcohol Abuse

21. That alcohol abuse be covered in all Board of Education anti-drug programs. That this curriculum be incorporated into bilingual programs.

22. That culturally relevant and Spanish-language alcoholism services oriented towards Hispanics be expanded to meet the needs of

alcoholics and their families. That these programs focus on the high incidence of alcoholism among Hispanic men.

23. That New York City Department of Mental Health, Mental Retardation and Alcoholism Services contract with Hispanic community based organizations to provide outreach services to the Hispanic community.

24. That City agencies increase Spanish-language advertisements of alcoholism services and expand Spanish-language campaigns against drunk driving.

Health Statistics

11. That procedures be institutionalized to consolidate health statistics concerning the City's Hispanic population. This could be implemented by contracting with an independent research organization which would publish periodic reports using the available databases.

CHAPTER 8: CRIMINAL JUSTICE

FINDINGS

1. Treatment for heroin and cocaine addiction is difficult to obtain for the City's Hispanic population.

2. According to the New York State Division of Substance Abuse Services, as of November 14, 1986, there were 1337 addicts on waiting lists for residential drug-free programs and 842 addicts wait-listed for ambulatory methadone maintenance programs in New York City.

3. The New York State Department of Correctional Services estimates that between 66-70 percent of Hispanics in New York State prisons are incarcerated for drug or drug-related crimes. The State Hispanic Inmate Needs Task Force reports that drug and alcohol abuse are the major health problems of Hispanic inmates. While the New York State Department of Health contracts to provide detoxification services to inmates when they enter correctional facilities, very little follow-up treatment is rendered and many return to drugs shortly after "drying out" either in prison or upon return to the community.

4. There are drug-free treatment programs for heroin and cocaine addiction for the poor. The numbers able to gain admission, however, are insignificant compared to the need. The problem is a lack of funds from the State. In addition, very few treatment programs are aimed at Hispanics.

5. Recent studies indicate that some drug prevention classes may be encouraging adolescents to experiment with drugs. An independent evaluation of all drug program in the 32 school districts and in the high schools is being prepared with a final report slated to be issued in May, 1987.

6. Only by a total mobilizations of all of the military and other resources of the federal government, working with local government, can we hope to curtail the flow of illegal drugs across our borders. The Anti-Drug Abuse Act of 1986 makes an attempt at penalizing major illicit drug producing and drug transit countries by imposing limited aid restrictions. The Act does not specify when these sanctions will or will not be applied.

7. Services to Hispanic victims of crime are inadequate.

8. Hispanic victims of crime are often the least likely to report the crimes and the least likely to take advantage of existing victim services programs. The Victim Services Agency (VSA) plays an invaluable role in addressing the needs of victims of crime and has developed many effective programs that are focused to their specific needs.

9. The Police Department has agreed to expand its distribution of the Crime Victims Hotline Card to victims of domestic violence and other victims of crime. There have been similar efforts in the past to have the Police Department distribute similar information to victims, but typically these efforts lessen and effectively cease over time.

10. Studies indicate that fear of crime is a contributing factor to absenteeism and the high dropout rate in schools. VSA initiated the School Victims Assistance Project (SVAP) to provide direct services to school crime victims and to raise student and staff awareness of crime.

11. Many victims of domestic violence are unaware of their rights and are fearful that any steps they take to protect themselves and their children will further exacerbate their situation. Many Latin American immigrants are not even aware that domestic violence is a crime. The Domestic Violence Prevention Program jointly operated by VSA and the Police Department provides early intervention services by teams of counselors and police officers to help prevent further escalation of domestic violence.

12. The City contracts with only 8 shelters for battered women totalling 386 beds with a 90-day limitation on the length of stay.

13. The Precinct Receptionist Program employs individuals from the community at local precincts as translators/facilitators with duties which include referrals to social service agencies as well as crisis intervention centers. As a result of the City's fiscal crisis and a change in the funding source, there are presently only 37 receptionists down from a high of 68 in 1975.

14. Hispanic police officers view the Police Department entrance and promotional examination as discriminatory.

15. The Police Department's civil service testing system has been found to be discriminatory toward minorities and has led to challenges and the imposition of racial quotas by the courts. The underrepresentation of Hispanics at both the entry and supervisory levels is a serious matter which the Police Department is seeking to address.

16. A disproportionate number of Hispanic candidates are eliminated from the hiring process as a result of the current battery of psychological screening examinations.

17. Many Hispanic police officers object to providing translation/interpretation services because it deprives them of opportunities to do the work which counts towards their promotion and because they are not adequately trained to deal with persons requiring particular skills.

RECOMMENDATIONS

Drug Abuse

1. That local public officials urge the Governor to expand the number of methadone treatment centers throughout the City and experiment with alternative drugs to accommodate those on waiting lists.

2. That prison medical facilities monitor inmates who have received medical attention for drug abuse over an extended period of time to provide the necessary therapy to lessen the chances that the prisoner will revert to drug abuse in prison or after release.

3. That the City and State Departments of Health institute experimental programs to significantly expand drug-free treatment alternatives for heroine addiction which remains cognizant of cost limitations.

4. That the Mayor propose legislation to ensure that assets seized from drug dealers in post-conviction forfeiture actions be divided in similar fashion to those in pre-conviction forfeiture actions.

5. That Board of Education and the City evaluate on an annual basis the implementation of all drug prevention programs in the schools to ensure that they in fact, produce positive results, and do not encourage experimentation with drugs.

6. That the City lobby the State to expand funding to treatment centers for cocaine and crack users in order to accommodate those on waiting lists.

7. That the Mayor create a working group of law enforcement officials, health specialists, substance abuse treatment experts and other relevant professionals to monitor the adequacy of the appropriation of State funds for drug treatment and prevention, and to advise the Mayor on tactics to enhance treatment efforts in the City.

8. That the City continue to urge the federal government to modify the Posse Comitatus doctrine which restricts the use of the military in civilian law enforcement for the purpose of drug interdiction by the United States military at the borders.

9. That the City lobby Federal legislators to redraft the provisions of the Act which restrict United States aid to any country involved as a primary world supplier of drugs.

Victim Services

10. That the Police Department mandate officers to distribute the bilingual Crime Victim's Hotline Card to all victims of crime. The card serves to put all victims in contact with the wide variety of services offered by Victim Services Agency. The failure to do so must be deemed a violation of the Patrol Guide by the Department.

11. That the City increase its funding of the School Victim's Assistance Project so that the Victim Services Agency can expand the program to those predominantly Hispanic schools with the highest incidence of crime.

12. That the City lobby the State Commissioner of Social Services for an extension of the 90-day limitation on length of stay in shelters for battered women, explore alternatives shelters for these women, and find a way to help them to reclaim their homes.

13. That broader dissemination of information within the Hispanic community regarding the rights of battered women be a priority. This can be done by public service announcements in Spanish utilizing radio, television, and the printed media.

14. That VSA's Domestic Violence Prevention Program be expanded to more Hispanic communities.

15. That the bilingual Precinct Receptionist Program be expanded to each precinct with a Hispanic population of at least ten percent.

Police Officers

16. Concrete steps must be taken to address concerns of Hispanic police officers as to the fairness of entrance and promotional examinations.

17. That the Department of Personnel and the Police Department continue in their efforts to devise entry-level and promotional examinations that are job-related. The Commission recommends that modern methods of assessing skills for promotional purposes be explored. In addition, the Police Department should provide those who take the exam with a reading list of materials actually used to devise the examination rather than the current long, and often unfocused, list of recommended reading.

18. That, to increase the likelihood of more Hispanics becoming police officers, additional points on civil service exams be awarded to New York City residents.

19. That present psychological screening practices be reviewed to understand why such a significant number of Hispanics are being

rejected on this basis and so that all cultural biases be eliminated from such procedures.

20. That, given the ongoing critical need for Spanish-speaking police officers, additional points be awarded to applicants on promotional examinations who are orally competent in Spanish.

21. That Police Department recruitment efforts for Hispanics be continued and significantly expanded to include New York City schools with significant minority enrollment.

CHAPTER 9: DELIVERY OF CITY SERVICES

FINDINGS

1. The City's efforts to ensure that services are accessible to Hispanics are generally ad hoc and reactive rather than systemic. Instead of agency-wide policy decisions based on the needs of Hispanic clients, such efforts are usually the result of initiatives by line staff and program directors faced with the immediacy of a large and needy Hispanic clientele, or they are corrective actions in response to specific complaints requiring immediate attention.

2. Statistics on the proportion of Hispanics among the clients of an agency are an essential tool in planning for service delivery, yet agencies are not systematically collecting such data. Consequently, agencies cannot verify whether their services are reaching Hispanics or ascertain the need for bilingual staff and translated material.

3. The Commission's public hearings elicited many complaints that Hispanics do not receive their fair share of services from City agencies. Workers in private service agencies also reported that their clients with limited English ability have difficulty obtaining information and following procedures because of the lack of bilingual staff and an insensitivity on the part of some agency employees.

4. Many programs and services are provided indirectly by the City through contracts with community-based organizations (CBO) and other private groups. However, only four agencies were able to provide the Commission with information on the number of contracts they have with Hispanic CBOs. While it is important that all organizations integrate Hispanics into their service delivery, Hispanic CBOs must also have equal access to City contracts. City agencies must be more successful in reaching Hispanic communities by contracting with Hispanic CBOs.

5. The Commission asked 17 agencies for information on the representation of Hispanics on their advisory committees and other policy making boards. Only three agencies addressed this issue in their submission. A subsequent check on boards and committees listed in the Official Directory of the City of New York indicated that Hispanics are poorly represented city-wide.

RECOMMENDATIONS

1. That City agencies keep statistics on the background of their clients by racial/ethnic group and language spoken at home in order to know the exact proportion of Hispanics in City programs and services. Such records should be kept on in a manner which serve to enhance delivery services. Agencies should attempt to match actual client statistics with other available statistics on the target population for their service. If Hispanics are underrepresented (or overrepresented), agencies should know why, and how modifications in their service delivery could effect the current situation.

2. That agencies ensure that their Hispanic clients have equal access to all services. This equal access can be achieved through the effective use of bilingual staff, ad hoc interpreters, and translated printed materials.

3. Agencies should ensure that services, where appropriate, take into account the cultural background of the Hispanic clients.

4. That agencies provide more services directly to the Hispanic communities through contracts with Hispanic CBOs. Sufficient funding, support, and technical assistance should be provided to assist Hispanic organizations to successfully bid and administer City contracts.

5. That all City boards and committees appoint more Hispanic members. Policy making bodies should reflect the composition of the target groups of the program or service.

6. That the City establish as a pilot project a Spanish information hotline - (212) HISPANO. The hotline would provide information on City services and refer callers to appropriate agencies.

7. That agencies increase their outreach and advertising efforts to inform the Hispanic communities of the services available to them. In particular, agencies should learn to use the Hispanic media through advertising, articles and community announcements.

8. That City agencies strengthen their contacts with Hispanic leaders and organizations.

9. That the City have a weekly television programs in Spanish on WNYC, or on a channel that is more accessible to viewing in all five boroughs, in which different City services are discussed.

CHAPTER 10: CITY LANGUAGE SERVICES

FINDINGS

1. One and a half million Hispanics live in New York. "Hispanic New York" alone would be the fifth largest city in the United

States and the tenth largest city in the world. Of the City's 1.5 million Hispanics, 20-30 percent have limited English speaking ability.

2. There are not enough bilingual/bicultural personnel in many City agencies. The Commission's survey found a lack of Spanish-speaking workers in many key areas, particularly in enforcement and uniformed services.

3. Multilingual City employees are pressured to interpret for other workers in addition to their standard duties. Their normal workload is not reduced and they must work extra hours to compensate for their time away for interpreting.

4. Most City employees who interpret or translate are not tested for their language ability and do not receive necessary training in the skills necessary to perform these tasks.

5. People with limited English are often told to "go away and come back with an interpreter" while attempting to obtain services from a City agency -- many do not come back.

6. Most agencies do not maintain accurate statistics on the ethnic background and language ability of their clients.

7. Most agencies do not have listings of bilingual staff, interpreters and translated materials.

8. Many of the City's crucial forms and information leaflets are not translated into Spanish.

9. There is no exchange of expertise and information on language services between agencies and the City lacks policies on the employment of bilingual staff, use of interpreters, standards for translations and reimbursements for language services.

10. More than 90 percent of the Spanish translations of City publications and documents submitted to the Commission were inadequately translated.

RECOMMENDATIONS

1. That the Mayor direct all City agencies providing substantial public contact services, to submit to him by January 1988 a Language Services Plan outlining the mechanisms by which agencies will ensure that limited English speaking Hispanics have equal access to its services.

2. That a Language Services Coordinator be appointed in the Mayor's Office of Operations to coordinate and monitor the agencies' Language Services Plans and other City language service efforts.

3. That legislation be introduced mandating the use of language services in City agencies.

8. That the basis for the Language Services Plans be the proposed Guidelines for the Use of Spanish Bilingual Staff, Ad Hoc Interpreters, and Translators in NYC Agencies. The Guidelines set out the minimum procedures for agencies' language services.

9. That Spanish-speaking candidates for employment be given priority in hiring for all public contact job titles in City agencies.

10. That other City employees, not in public contact titles but who are willing and able to interpret or translate for clients and other workers, be paid a Language Bonus of up to \$1500 per annum in exchange for out-of-title ad hoc interpreting and translating.

11. That all persons providing language services for the City be tested for their language skills and trained in interpreting and translating techniques.

12. That all Spanish-language translations used by City agencies be regularly reviewed to ensure that they comply with the minimum standards set out in the Guidelines.

CHAPTER 1

EDUCATION

New York City's public school system has failed in its mandate to become a vehicle for Hispanic advancement. This is amply illustrated by available data which indicate that Hispanics have the highest dropout rate of all ethnic and racial groups. In 1984, the United States Bureau of the Census reported that nationwide 26.1 percent of Hispanics between the ages of 18 and 19 had not completed high school, as compared to 17 percent for Blacks and 14.9 percent for Whites. Although the New York City Board of Education does not compile dropout statistics according to ethnicity, it does acknowledge that the Hispanic dropout rate is higher than the city-wide average of 35.3 percent. A study released on November 14, 1986, by the African American Institute of the State University of New York, estimates that the dropout rate for Hispanics in New York State is 62 percent. What these measures document is the educational disenfranchisement which threatens to disqualify Hispanic youth, given that 91 percent of all new jobs created in New York City require a high school diploma.

As early as 1957, education reports such as the Puerto Rican Study have acknowledged the special needs of Hispanic students and recommended changes to make public schools more responsive to these needs. Recommendations have included bilingual-bicultural education and mechanisms to encourage parental involvement in schools. Almost 30 years after the Puerto Rican Study, the Commission finds itself addressing many of the same problems. As a result, none of the issues or recommendations in this section are entirely new. They have all been presented to the Board of Education in one report or another over the years. The major difference is that after almost three decades of neglect the problems have escalated to epidemic proportions.

The relative youth of the Hispanic community and its projected increase in the City's population underscore the importance of focusing on Hispanics' educational needs. The median age for New York City Hispanics

is 25.4 years of age as compared to 39.9 years of age for Whites. The Mayor's Commission on the Year 2000 predicts that by the year 1990 Hispanics will constitute 32 percent of the City's residents under age 25. That report also states that Hispanics are expected to constitute the City's largest minority group by the year 2000. Given these estimates, the City must focus on the problems unique to Hispanics and guarantee that they receive the educational training to which they are entitled. The Mayor's Commission on the Year 2000 recognized the serious implications of the educational crisis among minority youth and concluded that:

The vast majority of the City's children will be from Hispanic, Black and other non-White groups; this presents a substantial challenge to the City's educational system and economy, as improved education will be necessary for these children to have a viable stake in the City's future economy.

In meetings with City officials and the Board of Education, the Commission repeatedly heard that the Board was attempting to resolve these complicated educational issues. The Mayor has also stated that education is the main priority of his administration. In fact, the Board of Education appears to have a program for almost every problem that confronts the educational system in this City. Why then, is our educational system still faced with overcrowded classrooms, high dropout and teenage pregnancy rates, adult education and bilingual education programs that are unable to meet demand? The Commission believes that it is because of the politically charged environment in which the Board of Education and the community school boards frequently operate and the painfully slow bureaucratic procedures they follow.

End the Disastrous Rate of Hispanic Dropouts Through Increased Accountability and More Creative Programs

In September 1985, the Board of Education established its city-wide Dropout Prevention Program (DPP) under the creative leadership of Victor Herbert. Current DPP projects at ten selected high schools provide for increased security, staff development, funds for special events, work experience for students, enhanced guidance counseling, management

coordination of dropout prevention, and contracts with community-based organizations for support services. The initiatives taken in these schools are to serve as a model for other programs throughout the City. In addition to its current initiatives, DPP must address the following issues.

Streamlining Bureaucracy The Board of Education must acknowledge that the dropout problem cannot be resolved solely by programmatic initiatives. Simply adding resources to isolated projects will not significantly decrease the dropout rate. There are inherent problems within the bureaucracy of the Board of Education which often defeat the most ambitious and well-intentioned programs. Bureaucratic procedures do not allow school principals the flexibility needed to address problems in an expeditious manner. Without flexibility, the Board of Education cannot fully capitalize on the creative talents of its teachers and principals. The Commission has discovered that the principals most successful at turning a bad school around are those who break from the bureaucratic structure. Victor Herbert is one example. Mr. Herbert became principal of a chaotic high school whose population had dwindled. By the end of his tenure, the school had become a serious and well-respected vocational high school with many more applicants than the school could accommodate. When asked by the Commission how he had accomplished this, Mr. Herbert explained that because the conditions at the school were so extreme, the Board of Education had allowed him the flexibility to apply creative solutions not contemplated by Board regulations.

Statistics on Hispanic Dropouts Dropout prevention programs must be tailored to the needs of high-risk Hispanic students. The Board of Education, however, does not compile dropout statistics according to ethnic background or language dominance. These data are necessary to target programs for this population.

Accountability The Board of Education must institutionalize accountability for student retention at the Central Board, as well as on the district and school level. The Chancellor's current proposal to establish minimum standards for all schools is an important first step. Accountability can also be built into the system by eliminating principal

tenure and reviewing principal contracts every four years. At present, once a principal is awarded tenure his or her position is permanently secured. For some, the incentive to improve the school wanes. Student retention would be a major component of the principal's yearly evaluation and four year review.

Mentoring Programs Mentoring programs are particularly important for Hispanic students because there is a great need for positive role models. The New York City Mentoring Program is a one-to-one approach that links college students, professionals, and civic and community organizations with high risk students. These programs have proven to be a successful tool in student retention. Preliminary estimates obtained from the program report a 91 percent retention rate among its participants. According to its director, the program has sufficient volunteers to function in every high school in the City. Unfortunately, due to lack of funds, it has been unable to match students on the program's waiting list with the many adults willing to volunteer as mentors. The City and the Board of Education should not allow this valuable resource to be wasted.

Media The media are potential allies in helping to convince Hispanic families on the necessity of staying in school to get a high school diploma. The impact of television in the minority community is overwhelming. It is estimated that by the time a child graduates from high school, he or she has been exposed to over 15,000 hours of television viewing, in contrast to 10,000 hours of classroom instruction. New telecommunications technology can be utilized to lower the high dropout and illiteracy rates and advance the educational and cultural aspirations of Hispanics.

Parental Involvement Studies show that children whose parents are involved in their education tend to do better in school than children whose parents show peripheral or little interest. Hispanic parents, however, face very difficult socioeconomic factors that serve as obstacles to their full participation. To encourage Hispanic parents to be active participants in their child's education, the schools must reach out into the community. Personal contact such as home visits and telephone communication can effectively encourage participation. The most efficient way to conduct

outreach efforts may be to contract with community-based organizations to serve as liaisons.

Alternative High Schools Alternative high schools are the safety nets of our public school system. These schools were originally created for students who were considered at risk of dropping out or of not reaching their full potential in mainstream schools. In the past, however, these schools have not been treated on an equal footing with other high schools. For instance, principals at alternative high schools are paid at a rate substantially below that of other high school principals. This inequity must be corrected if these students are not to be treated like second rate students in second rate schools. Alternative high schools have been successfully placed on several CUNY campuses. These college collaborative schools boast the available resources and atmosphere of a college and create a suitable environment for learning. Two more college collaborative schools are expected to open during the 1986-87 academic year; they should receive expanded financial support.

RECOMMENDATIONS

- * That the City's dropout rate be tabulated according to race, ethnic origin and language spoken at home, in order to provide the Board of Education with sufficient information to tailor dropout prevention programs to the specific needs of Hispanic students.
- * That the Board of Education establish a panel composed of concerned parents and educational experts to work with an independent consultant to evaluate the bureaucratic procedures that impair a principal's ability to resolve problems expeditiously. The panel's objective would be to recommend changes to streamline procedures and allow principals more flexibility to act on local school concerns.
- * That the Chancellor create incentives for student retention by offering concrete rewards for schools that improve their retention rate. Incentives such as cash bonuses for special equipment or activities should be considered.
- * That the Board of Education seek to eliminate lifetime principal tenure and review principals' contracts every four years for the purpose of removing principals with unsatisfactory performance. That the improvement of a

school's student retention rate be a fundamental element of the review.

- * That the Board of Education and the City target funds for the expansion of the Mentoring Program. That the program make a concerted effort to recruit more Hispanic students and mentors.
- * That the Board of Education and the Mayor aggressively recruit the assistance of the media for:
 1. Advertisements and programs that stress the importance of parental involvement in a child's education and that inform parents of possible methods of participating with their children in school activities.
 2. Public service announcements on television and radio during prime viewing hours that reinforce the importance of Hispanic students obtaining a high school diploma.
 3. Production of a bilingual documentary to underscore the dropout crisis among Hispanic youth.
 4. Creation of a bilingual campaign along the lines of ABC Television's "An American Portrait," to honor New York City's Hispanic students, faculty and staff members.
- * That the Board of Education contract with community-based organizations to organize school outreach efforts to the Hispanic community in order to motivate parents to become more involved in their children's education. That this outreach effort focus on personal contacts such as home visits and telephone conversations.
- * That the salaries of alternative high school principals be raised to the level of other high school principals. That the Board of Education eliminate internal policies which stigmatize alternative schools.
- * That the number of alternative schools be increased to meet the needs of those seeking admission.
- * That college collaborative schools be established at each CUNY campus and that the Board of Education and the City seek to establish these schools at private colleges and universities throughout the City.

Aggressively Address Problem of Teenage Pregnancy Through Effective Mandatory Sex Education and Increased Involvement of Parents

The issue of dropout prevention cannot be addressed without focusing on teenage pregnancy. Last year approximately 35,000 teenage girls became pregnant in New York City. Hispanic teenagers account for almost 40 percent of the births in this age group. The Children's Defense Fund's report, Preventing Children From Having Children estimates that 50 percent of teen mothers do not graduate from high school. The physical, psychological and social impact of teenage pregnancy on both the mother and the child is frequently devastating and may have serious intergenerational effects.

As parents, the Commission members acknowledge that teenage pregnancy is a very personal and controversial issue. In fact, the Commission was evenly divided on the issue of providing contraceptives at public schools. This division reflects the feelings of the Hispanic community on this issue. The Commission, however, is firm in its belief that the problem will not go away by being ignored. Parents and society must be convinced that properly supervised sex education can help to underscore the seriousness of the moral and social issues at stake. The Board of Education must do more bilingual outreach into the Hispanic community to educate parents on the fact that properly supervised sex education does not encourage sexual activity. An often cited study conducted by John Hopkins School of Medicine showed that teenage girls who participated in a special sex education program in Baltimore refrained from sexual relations for a longer period of time than girls who did not participate.

Misconceptions about birth control, pregnancy, and parenting can only be eliminated by a vigorous teaching effort. The Commission applauds the Board of Education's recent decision to make the sex education curriculum compulsory in all schools from kindergarten to the 12th grade. Prior to this decision, only 21 out of 32 school districts utilized this curriculum.

The Board of Education, in conjunction with the City's health agencies, must also increase their efforts to prevent teenage pregnancy by making individual counseling available to all students at their schools. At present every junior high school and high school has one health resource coordinator whose job it is to give students information on birth control. However, health resource coordinators are not counselors. Therefore, the scope of the program does not meet the need. In addition, many health coordinators feel that they are denied adequate time and facilities to provide private consultations.

The Board of Education must also provide more support services to teenagers who already have children. The Board of Education's program, Living for the Young Family Through Education (LYFE), already operates 23 day care centers throughout the City. This limited number of centers is insufficient. It is estimated that there are approximately 15 teenage mothers wait-listed at each LYFE day care center. Each person on the waiting list represents a teenage parent who wants to finish high school.

RECOMMENDATIONS

- * That the Board of Education move forward in its determination to decrease teenage pregnancy in New York City.
- * That the Board of Education closely monitor the implementation of the sex education curriculum which it has recently made compulsory for all public school students.
- * That the Board of Education commence bilingual outreach efforts to educate parents on the purpose of its sex education program.
- * That family planning services, including individual counseling and referrals, be made available to all junior high school and senior high school students at their schools.
- * That schools: allocate sufficient time for health resource coordinators, counselors, and other health professionals to meet with students in school; ensure that adequate facilities are made available for private consultations; and facilitate the dissemination of information regarding available health services to students.

- * That the City fund day care centers in those schools with the highest rate of teenage pregnancy. (The possibility of using these facilities as training centers for future early childhood teachers and day care workers should be explored.)

Bilingual Education

The Office of Bilingual Education reported that during the 1984-85 school year, 113,831 students were entitled to bilingual services. Approximately 72 percent of these students speak Spanish as their first language. Eligibility for bilingual services is determined pursuant to the federal guidelines established as a result of the United States Supreme Court decision Lau v. Nichols, the 1974 ASPIRA Consent Decree, and state and local regulations. Students who score at or below the twentieth percentile on the English Language Assessment Battery (LAB) are considered Limited English Proficient (LEP) students and are legally entitled to supplemental bilingual educational services. If there are twenty or more entitled students in the same grade level, a bilingual class must be formed. If there are not enough students to form a bilingual class, LEP students must receive English as a second language (ESL) instruction.

However, using statistics kept by the Office of Bilingual Education, the Education Priorities Panel (EPP) study Ten Years of Neglect, reported that 15,000 entitled students do not receive any bilingual classes or ESL instruction. Moreover, 29,000 entitled students had incomplete records and the Board of Education was unable to determine whether they were actually participating in bilingual programs or ESL instruction. In response to the EPP report, the Board of Education questioned the veracity of the EPP data and issued the "Action Plan for Upgrading, Monitoring, Management and Programs for Limited English Proficient Students." This plan sets forth the responsibilities, policies, and monitoring procedures that the Board of Education will implement to ensure that LEP students receive the bilingual services to which they are entitled. There is, however, no dispute that there are entitled students in the system who are not receiving bilingual services.

Increase the Number of Bilingual Teachers

The Board of Education admits that it has been unable to provide many LEP students with bilingual education because of a severe shortage of bilingual teachers. The Commission, however, is not satisfied that the Board of Education has thoroughly explored all recruitment possibilities nor that it has exhausted all mechanisms to develop teachers with bilingual skills. EPP reports that there are 1,898 licensed bilingual early childhood teachers available in the school districts. This is sufficient to provide bilingual classes to only 57.1 percent of entitled elementary school LEP students. In high schools the situation is worse. EPP reports that there are only enough bilingual teachers to provide: 18.1 percent of entitled students with math classes; 23.8 percent of entitled students with science classes; and, 46.3 percent of entitled students with social studies classes. Although the situation is alleviated by numerous teachers conducting out-of-license bilingual classes, the shortage is obviously severe.

In Puerto Rico there exists a large reserve of unemployed teachers, psychologists, guidance counselors, and social workers that could be employed by the City's bilingual education programs. Recruitment efforts must be enhanced and housing arrangements made in order to attract these education professionals. Unfortunately, recruitment of teachers from Puerto Rico has not been as successful as anticipated, in part because of the difficulty of finding affordable housing in New York City.

RECOMMENDATIONS

- * That the Board of Education combine an aggressive and continuous media campaign to recruit bilingual teachers on college campuses, city high schools, in community-based organizations and in all accredited universities in Puerto Rico and Spanish-speaking countries.
- * That the City and the Board of Education initiate a pilot program to provide temporary housing for teachers from Puerto Rico and Spanish-speaking countries. (The City could create a locator service to find housing and to place teachers with local families.)
- * That student loan forgiveness programs be established for bilingual teachers. In exchange for loan

forgiveness, the school system would require a five-year service commitment in New York's public school system as a bilingual teacher.

- * That the United Federation of Teachers' Career Ladder Program, which pays paraprofessionals to pursue a teaching degree within the CUNY system, expand its Hispanic participation.
- * That the Board of Education establish a formal exchange program with teachers and student teachers in Puerto Rico and Spanish-speaking countries where there is a shortage of English teachers.
- * That the Board of Education closely supervise teachers providing bilingual classes without a license in that area and provide incentives for certification.

Monitor Effectiveness of Bilingual Education Programs

The EPP study reports that 16 percent of entitled Spanish-speaking students that score below the twentieth percentile on the English LAB have been in an English language school system for four years or more. The fact that these children are not fluent in English, after being in our schools for over four years, indicates that the system is not working. The Board of Education must commit itself to monitor the high schools and elementary schools within the community school districts to ensure that adequate bilingual services are actually being provided to entitled students. At present, compliance with bilingual services varies significantly among elementary school districts and among high schools. This is not surprising since during the 1985-86 school year the Office of Bilingual Education was staffed with only six employees to monitor compliance in 900 schools. (See tables below for the number and proportion of entitled students participating in bilingual classes and ESL instruction.)

TABLE 1

**NUMBER AND PROPORTION OF ENTITLED ELEMENTARY SCHOOL STUDENTS
BY DISTRICT AND PROGRAM**

<u>District</u>	<u>Total Entitled</u>	<u>Full Bilingual %</u>	<u>Part Bilingual %</u>	<u>ESL Only %</u>	<u>No Program %</u>	<u>Incomplete Survey %</u>
16	459	47.7	05.2	16.3	08.3	22.4
26	527	00.0	00.0	69.4	09.9	20.7
31	539	00.0	00.0	15.8	59.6	24.7
23	733	22.4	07.1	09.5	39.6	21.4
5	998	45.5	07.9	18.0	10.0	18.5
13	1058	27.7	05.6	25.1	18.4	23.2
18	1093	03.5	20.8	55.4	01.4	18.9
11	1145	08.4	00.2	70.2	00.4	20.8
27	1408	06.0	07.1	36.6	26.1	24.1
29	1421	20.9	00.8	33.2	25.6	19.5
3	1500	58.1	01.8	06.7	15.2	18.3
4	1515	52.3	03.2	00.4	18.3	25.7
21	1821	04.5	00.3	65.1	09.1	21.0
22	1835	00.1	00.1	82.2	01.1	16.5
1	2086	32.3	00.2	38.5	04.9	24.0
8	2380	38.3	00.4	25.1	10.9	25.3
25	2427	04.2	00.1	76.1	00.8	18.7
17	2455	24.1	03.3	37.1	17.7	17.8
28	2767	16.5	00.6	55.6	04.1	23.2
12	2873	34.1	02.0	15.8	19.2	28.9
7	2935	57.2	03.0	19.4	01.6	18.8
14	3024	34.3	01.0	34.4	01.0	29.2
15	3187	18.2	06.9	32.6	17.4	24.9
20	3597	25.5	03.8	44.2	08.9	17.5
32	3763	46.2	00.6	01.6	27.9	23.7
2	3901	23.8	00.2	26.5	25.8	23.7
19	4150	49.6	03.8	17.5	08.3	20.7
30	4432	21.6	02.9	39.9	13.9	21.8
9	5542	54.6	03.4	12.0	09.4	20.7
24	5618	24.1	01.0	31.5	23.5	19.8
10	6869	38.9	02.1	34.2	05.6	19.3
6	8584	61.0	02.2	07.7	09.8	19.3

Source: Bilingual Education Information System, 1984-85.

TABLE 2

**NUMBER AND PROPORTION OF ENTITLED HIGH SCHOOL STUDENTS
BY SCHOOL AND PROGRAM**

High School	Total Ent.	Total Full Bil.	Full as % of Ent.	Total Part Bil.	Part as % of Ent.	Full/Part % of Ent.
<u>BRONX</u>						
Morris	351	83	23.65	73	20.80	44.44
Taft	474	135	32.70	41	8.65	41.35
Monroe	594	101	16.97	153	25.71	42.69
E. Childs	292	38	13.01	64	21.92	34.93
Walton	594	96	16.16	127	21.38	37.54
T. Roosevelt	1114	384	34.47	56	5.03	39.50
Clinton	338	16	4.73	54	15.98	20.71
Stevenson	580	91	15.69	49	8.45	24.14
S. Bronx	366	82	22.40	87	23.77	46.17
JFK	927	101	10.90	297	32.04	42.93
Gompers	71	0	0.00	26	36.62	36.62
Lehman	76	0	0.00	1	1.32	1.32
Columbus	240	1	0.42	14	5.83	6.25
Addams	114	0	0.00	0	0.00	0.00
<u>MANHATTAN</u>						
Seward Park	1446	519	35.89	440	30.43	66.32
Irving	278	0	0.00	29	10.43	10.43
Washington	1339	110	8.22	536	40.03	48.24
Brandeis	1109	48	4.15	127	11.45	15.60
Richman	246	1	0.41	81	32.93	33.33
King	224	0	0.00	3	1.34	1.34
Park East	88	0	0.00	19	21.59	21.59
Park West	428	103	24.07	77	17.99	42.06
Fashion Ind.	62	1	1.61	1	1.61	3.23
L. East Side	592	7	1.18	6	1.01	2.20
<u>QUEENS</u>						
Bowne	715	126	17.62	121	16.92	34.55
Forest Hill	271	0	0.00	1	0.37	0.37
Bryant	672	150	22.32	87	12.95	35.27
LIC	422	1	0.24	127	30.09	30.33
Newtown	1298	205	15.79	322	24.81	40.60
Flushing	501	81	16.17	58	11.58	27.74
Far Rockaway	134	1	0.75	0	0.00	0.75
Jamaica	214	0	0.00	30	14.02	14.02
Adams	140	31	22.14	33	23.57	45.71
Cleveland	287	17	5.92	54	18.82	24.74
Jackson	168	0	0.00	49	29.17	29.17
Hillcrest	303	0	0.00	29	9.57	9.57
Beach Chnl	19	0	0.00	1	5.26	14.29
Springfield	77	0	0.00	11	14.29	1.11
F. Lewis	90	1	1.11	0	0.00	0.00
Richmond Hill	120	0	0.00	0	0.00	
<u>BROOKLYN</u>						
Lafayette	206	1	0.49	3	1.46	1.94
Lane	376	66	17.55	41	10.90	28.46
Madison	147	0	0.00	40	27.21	27.21
Jefferson	217	11	5.07	15	6.91	11.98
Prospect Hts.	133	1	0.75	3	2.26	3.01
New Utrecht	318	1	0.31	135	42.45	42.77
Boys/Girls	110	1	0.91	1	0.91	1.82
Jay	452	62	13.72	86	19.03	32.74
Erasmus	728	500	68.68	77	10.58	79.26
Wingate	450	108	24.00	72	16.00	40.00
Eastern Dt.	816	201	24.63	70	8.58	33.21
Bushwick	577	90	15.60	50	8.67	24.26
Ft. Hamilton	489	6	1.23	62	12.70	13.93
Canarsie	72	0	0.00	11	15.28	15.28
FDR	542	5	0.92	90	16.16	17.53
S. Shore	213	43	20.19	44	20.66	40.85
Hale	359	98	27.30	56	15.60	42.90
Maxwell	121	5	4.13	24	19.83	23.97
Tilden	309	154	49.84	25	8.09	57.93
Lincoln	176	0		0		
Midwood	143	0		0		
Sheepshead	171	0		0		
<u>STATEN ISLAND</u>						
Curtis	55	0		0		
Tottenville	36	0		0		

The EPP study reports that on average 43 percent of entitled students receive a full bilingual program in the elementary school districts. Approximately 29.6 percent of entitled students in the elementary school districts receive ESL instruction. EPP reports that the availability of full bilingual programs does not appear to be a function of the size of the entitled student population in the districts. Two of the five districts with the smallest LEP populations have more than 45 percent of their entitled students in bilingual programs. Six of the eight districts with less than 10 percent of their entitled students in full programs have more than 1,000 students. The EPP study reports that only 26.7 percent of entitled students receive full services in the high schools. Approximately 13.7 percent of entitled high school students receive ESL instruction.

RECOMMENDATIONS

- * That the Board of Education strictly adhere to its Action Plan for Upgrading, Monitoring, Management and Programs for Limited English Proficient Students to enforce uniform compliance with the legal requirement that every entitled limited English proficient student receive a bilingual education or English as a second language instruction.
- * That the Board of Education target those school districts and high schools with the poorest records of providing bilingual education for immediate evaluation and school visits.
- * That the Board of Education institute a system of vigorously enforced sanctions against those schools or districts which do not comply with the requirement that every entitled limited English proficient student receive bilingual education or English as a second language instruction.
- * That the Board of Education increase the monitoring staff of the Office of Bilingual Education to allow the office to conduct yearly evaluations of each school.

Make Vocational Schools Accessible to Limited English Proficient Students

LEP students must be assured access to all City schools and programs. At present, LEP students are steered to the few high schools

that have bilingual programs. The Board of Education must work to open new educational opportunities for these students. For example, during the 1985-86 school year, only one out of a total of 21 vocational high schools had a regular bilingual program and only two other vocational high schools had functioning ESL programs. Part of the problem has been the difficulty of recruiting bilingual vocational teachers. During the 1986-87 school year, budget allocations were made to start a vocational bilingual education pilot program for an estimated 7,000 LEP students. This effort must be expanded to other high schools.

RECOMMENDATIONS

- * That the Board of Education review and eliminate high school admissions criteria that discriminate against limited English proficient students.
- * That a yearly report be issued by the Board of Education on the progress made in creating bilingual vocational education programs. That the yearly report include plans of action to remedy any deficiencies.

Eliminate the Overcrowding Crisis in School Districts 6, 10 and 24 Through Dedication of Adequate Resources and Long Range Planning

Hispanic children receive a second-rate education as a result of the extremely overcrowded conditions of their schools. Although the overall utilization of the 697 occupied elementary schools is 86 percent, one-third of those buildings (230) function at or above 100 percent capacity. The Commission is particularly disturbed by the fact that three of the five most severely overcrowded districts in the City have predominantly Hispanic enrollments: in District 6, which is 80.4 percent Hispanic, 15 out of 16 schools function at or above 100 percent capacity; in District 10, which is 59.3 percent Hispanic, 33 out of 37 schools function at or above 100 percent capacity; and in District 24, which is 39.5 percent Hispanic, 19 out of 23 schools function at or above 100 percent capacity.

The overcrowding in District 6 is a glaring example of institutional neglect. The Board of Education has had plans to construct a permanent elementary school, P.S. 48, in this district for over ten years. The

Commission has concluded that the construction of this school has been delayed largely as a result of an ineffective and highly politicized process. First, political pressures brought to bear by a small religious minority in the community, with the apparent concurrence of local political leaders at the City Council and borough level, persuaded political officials to delay construction for approximately three years. An additional two years were wasted in political wrangling between the local school board, the Board of Education, and the Office of Management and Budget regarding the school's square footage. The sincerity of this dispute is seriously questioned by some community leaders. When funds later became available for the design of the school, understaffing at the Board of Education and a tightfisted fiscal policy resulted in further delays. To date, the Board of Education's best estimate for completion of construction of P.S. 48 is 1990.

District 6 is a symbol of the City's neglect of Hispanic youth. Long-term overcrowding has destroyed the quality of education for District 6 students. Testing in April 1986 indicated that only 46.7 percent of the students in the third to ninth grade students in District 6 read at or above grade level. This is the lowest average score of any school district in the City. The problem will be further aggravated in the immediate future: the Department of City Planning estimates that enrollment in District 6 will increase 20.6 percent by the 1989-90 academic year. Thus, solutions beyond simply adding more school space must be examined.

During the past two months the City, in conjunction with the Commission, has taken steps toward alleviating overcrowding in District 6. It has approved the construction of an additional mini-school at P.S. 128 and secured the site of the former 34th Police Precinct for renovation. The Board of Education's claim, however, that the construction of two new elementary schools cannot be completed until 1990 has outraged the Commission. Students who are currently being taught in hallways and cafeterias cannot possibly wait another four years.

RECOMMENDATIONS

- * That the Board of Education accommodate projected increases in student enrollment and additional space needs resulting from educational initiatives by expediting the construction of five permanent schools in District 6, four permanent schools in District 10, and two permanent schools in District 24.
- * That the Board of Education and the City appoint an independent advisory committee composed of concerned parents, educational experts and representatives from the construction industry and financial community to assess the adequacy of the Board of Education's capital funding and to recommend plans for future needs. The committee will also consider and recommend alternative solutions to school overcrowding such as: redrawing school district boundaries, extending the school calendar and extending the school day.
- * That as an interim solution, the Board of Education reassess its prior rejection of school playgrounds, parks, and other areas for the construction of mini-schools in Districts 6, 10, and 24. That creative solutions to the space problem be aggressively pursued. For example, two-story mini-schools can be built in smaller lots and adjacent streets can be used as play areas when playgrounds are used for construction.
- * That, as a mechanism for expediting the construction of new schools, the Office of Management and Budget approve bonus incentives for the completion of construction before the contracted deadline of schools in Districts 6, 10, and 24.
- * That the construction of P.S. 48 in District 6 be expedited by increasing the number of Board of Education architects assigned to its design.
- * That sufficient funds be immediately allocated to convert the old 34th Police Precinct into a school for 600 students within the next 15 months. Close monitoring of this project by the Mayor's Office will be required to ensure that the renovation proceeds on schedule. The Board should consider turning the project over to a private developer on a "turn-key" basis.
- * That the Mayor's Office of Construction establish an interagency working group of the relevant City agencies to monitor the construction of all permanent schools and mini-schools in Districts 6, 10 and 24 to ensure that construction proceeds on schedule.

Meet the Demand for Adult English as a Second Language Instruction and Graduate Equivalence Diploma Instruction

A significant segment of the City's non-English-speaking Hispanic population wants to become proficient in English. This skill is obviously important in seeking employment as well as other benefits. Although data are difficult to obtain, it is estimated that 20,000 adults are receiving English as a second language instruction (ESL) through various institutions including the City University of New York, the Board of Education and community-based organizations. More than half of those participating are Hispanic.

The demand for these classes, however, far exceeds the number of available seats. The Mayor's Office of Youth Services has estimated that as many as 9,000 non-English-speaking persons are on waiting lists to get into an ESL course at CUNY or one of the community-based organizations which offer such services. In addition, there is a need for expanded graduate equivalence diploma (GED) classes. The shortage of adult ESL instruction is particularly significant in the context of the debate over bilingual education. Opponents to bilingual education must logically support enhanced adult ESL instruction. Otherwise, their good faith must be seriously questioned.

Creative alternatives are needed to ensure that those people on the waiting list are not discouraged. For example, the Board of Education could contract with community-based organizations to provide additional classes and information on interim methods of enhancing English language skills while waiting for placements. In addition, self instruction tools such as audio and video cassettes could be produced and made available for those on the waiting list. ESL instruction and GED courses could also be televised on public service stations.

RECOMMENDATIONS

- * That the Board of Education make a concerted effort to expand its contracts with community-based organizations in Hispanic communities to provide adult English as a second language instruction and graduate equivalence diploma courses at public schools.

- * That graduate equivalence diploma courses, in both English and Spanish, and English as a second language courses be televised on the Board of Education's Channel 25 and other public service stations. (Prerecorded graduate equivalence diploma tapes can be obtained from Kentucky Educational Television. These can be used as models for the production of tapes in Spanish.)
- * That the Board of Education develop and make available to the public self-instruction tools, such as audio and video cassettes, for English as a second language and graduate equivalence diploma courses.

Improve Physical Conditions of Schools Through More Control by Principals Over Custodians, Increased Use of Student Training Programs and Outside Contracting for Repairs

Many schools are operating with deplorable conditions: paint is chipping, walls are cracked, plaster is falling, and windows are in poor repair. The Commission visited several schools, including P.S. 192 in Manhattan, and was appalled by their physical condition. For example, P.S. 192 is mopped an average of only three times a year. Pursuant to a Board of Education resolution dated June 23, 1960, custodians are to be evaluated by the school principal three times a year. There have been problems in implementing this resolution because the principal is not the custodian's direct supervisor -- hiring, firing, and placement of custodians is done by the custodian supervisor not the principal. The end result is the lack of accountability of the custodial staff to the principal. The Commission was further informed that when principals make requests for repairs through the Division of School Buildings, a lengthy period of time usually elapses between the initial request and the actual repair. These seemingly unnecessary delays have contributed to the physical deterioration of P.S. 192 and many other City schools.

RECOMMENDATIONS

- * That the Board of Education seek to give school principals direct supervisory authority over each school's custodial staff in its upcoming contract negotiation with the custodian union.
- * That the Board of Education carefully monitor the implementation of the Board of Education resolution dated

June 23, 1960, which requires that all school principals evaluate their custodial staff three times a year.

- * That the pilot program initiated by the Board of Education in September 1986, which allows one school district in each borough to contract directly for repairs, be expanded to all schools if judged successful.
- * That the Board of Education initiate an "adopt a school" program where corporations support schools in need of repairs and contribute to their rehabilitation.
- * That a volunteer student custodial program be instituted in each junior and senior high school in the City. This program would serve the dual purpose of teaching students maintenance skills under the direction of school principals and developing student concern for and pride in the appearance of their school.

Eliminate Guidelines That Limit the Admission of Minority Youth to City Schools

The New York State Commissioner for Education has established guidelines that keep schools with a White student majority before integration at least 50 percent White. Since only 24.5 percent of the public high school population is White, this policy artificially retains a disproportionate number of places in some of the City's high schools for White students.

This policy denies admission to minority students by setting an exclusionary quota in favor of Whites and limiting the number of minorities a school will accept. When asked if this policy reduces the chances for admission of minority students, Chancellor Quinones stated, "Yes it does, and that is frustrating". (New York Newsday, November 11, 1985.)

RECOMMENDATION

- * That the New York City Board of Education and the Mayor urge the New York State Commissioner of Education to rescind any directive or guideline which limits the admission of minority youth to some City schools.

Expand CUNY's Student Retention Programs

Given the economic status of many Hispanic families, CUNY is the only available vehicle for advancement through higher education. Hispanics represent 6 percent of CUNY's graduate students, 18 percent of CUNY's senior college undergraduates and 27 percent of CUNY's community college undergraduates. Many important issues confronting CUNY could be addressed in this report. For example, basic issues such as CUNY's role as a liberal arts institution must be resolved. This section of the report, however, focuses on the student body's need for remedial assistance and child care.

Unfortunately, many students who do obtain high school diplomas are still unprepared to attend college. CUNY Chancellor Joseph S. Murphy has estimated that approximately 75 percent of incoming first year students need remedial help. CUNY has made an impressive effort to assist these students in sharpening their basic skills. Approximately, 20 percent of CUNY's resource are used for remedial programs. CUNY has student retention initiatives which deserve City and State support. The Summer Pre-freshman Skills Immersion Program is one example. This program targets students in need of remedial help who plan to attend senior colleges within the CUNY system. Sixty-eight percent of the students who completed the program did not need remedial classes or needed less remediation than those who had not participated.

Child care at CUNY makes the difference between persistence in college or dropping out. CUNY students are overwhelmingly single, female, head-of-household and minority. For these groups, the need for campus child care is steadily increasing. In 1985, 54 percent of CUNY's student-parent applicants expressed an urgent need for this service. These requests added up to more than 9,000 children requiring child care each year. At present, CUNY can only meet three percent of that need.

RECOMMENDATIONS

- * That funds be designated to CUNY to ensure continuation and expansion to all eligible first year

students of the Summer Pre-freshman Skills Immersion Program.

- * That child care programs be increased at CUNY campuses to allow single parents the flexibility to attend school.

Provide Hispanic Representation on the Board of Education Through Merit Selection of Representative Board

The lack of Hispanic representation on the Board of Education has generated anger and frustration within the Hispanic community. The Board of Education must be accountable to the parents and the students who attend the public schools. In order to accomplish this, the Board of Education must be composed of qualified members whose ethnic and racial backgrounds reflect the diversity of the New York City public school population. The Commission acknowledges that Chancellor Nathan Quinones certainly brings to bear a personal understanding of the educational needs of Hispanic students. The Chancellor, however, cannot vote on the policies set by the Board of Education. The result is that one-third of the City's public school students are not represented on the school system's major policymaking body. The Commission believes that the Board of Education must have a Hispanic member.

The Commission does not advocate the appointment of a Board member solely on the basis of ethnic origin. It does, however, advocate that standard equal employment opportunity procedures be used in the selection process. At present, there is no recruitment procedure to guarantee that qualified Hispanic candidates are located. If a selection panel is used, Hispanic candidates will receive fair consideration. Manhattan Borough President, David Dinkins attempted to establish a more equitable selection procedure by appointing a multiracial committee that recruited, interviewed, and recommended candidates from which the final selection was made. This panel should be used as a model for all Board appointments.

The Commission has been advised that the Mayor would not oppose a screening panel if his proposed legislation to expand the number of his

appointments on the Board of Education from two to ten members is approved. The decision to create a screening panel, however, should not depend on the number of appointments made by the Mayor or the borough presidents.

RECOMMENDATIONS

- * That the Mayor and each of the borough presidents form separate screening panels for their appointments to the Board of Education. The screening panels will include parents and educators, who reflect the racial and ethnic mix of the City. The screening panel's function will be to actively recruit, interview, and submit nominations of eligible candidates. The final appointments will be made by the Mayor and the borough presidents from the list of qualified candidates.
- * That the Mayor introduce legislation which would make this selection process mandatory.
- * That voluntary compliance to this selection procedure be sought until legislation is passed.

Require That 75 Percent of All Members Elected to Community School Boards be Parents

The initial intent of school decentralization was to vest parents with a greater say in determining district school policy. Parents whose children attend public school have a vested interest in improving the quality of education as well as a direct knowledge of the needs of this school age population. The community school boards have jurisdiction over the elementary and junior high schools. Yet, according to a New York Times report, more than a third of the 288 members of community school districts are employed by either local boards or the central Board of Education, or are officials of political parties. The Commission acknowledges that this is a politically sensitive issue, but the problem must be addressed. The fact that one-third of the members of community school boards are not independent makes the school boards ripe for political tugs-of-war which divert attention from its educational mission.

RECOMMENDATION

- * That the Mayor commence discussions with the United Federation of Teachers and the community school boards for the purpose of introducing legislation requiring that 75 percent of all those elected to community school boards be parents who reside in the school district.

CHAPTER 2

ECONOMIC DEVELOPMENT

No ethnic or religious minority group has made its way into mainstream American life without developing a significant economic base. Economic strength paves the way to employment opportunities, meaningful political participation, and an improved quality of life. In short, business development has been -- and still is -- the means by which religious and ethnic minorities who have immigrated to New York City can maximize the benefits which this country has to offer. Businesspeople testifying at the Commission's public hearings made it clear that the City's Hispanic community is attempting to expand its economic participation in many different directions.

The City's economic development policies are decisive in the long-range development of the City's Hispanic community. They can either be an obstacle or a partner in this process since, at every level, City government plays a significant role in determining where and when economic development will take place. For instance, the City, pursuant to applicable laws, controls the award of contracts; the deposit of government funds in banks; the purchase of goods and services; the disposition of government-owned land; the provision of tax incentives; the availability of economic assistance; the grant of franchises and licenses; and the extension of financial guarantees.

If the City's development resources are targeted to assist more Hispanic businesspeople, there will be greater economic self-determination in the Hispanic community. By aggressively reaching out to Hispanic entrepreneurs, the City's economic development agencies will help the Hispanic community to realize the rewards that are currently enjoyed by so many others. By not effectively including Hispanic businesses in its economic development programs, the City will be working against the Hispanic community's efforts.

In order to get an overview of the size and diversity of the Hispanic business community, the Commission staff gathered what information and statistics were available. The City does not compile much of the needed information. What data were available were inconsistent, outdated and/or unreliable. Some information was supplied by the Director of the Hispanic Business Office in a paper entitled Economic Development and the New York City Business Hispanic Community. The paper states that there ". . . are approximately some 16,000 - 18,000 businesses in New York City owned and operated by Hispanic residents." The larger portions of these are small, family-owned operations clustered in low-income Hispanic neighborhoods. Most of these small businesses are food retail outlets, mainly bodegas and "superettes", the rest according to the paper are largely made up of other types of retail outlets, such as jewelry stores, record shops, pharmacies, and shops that provide personal services such as barber shops, beauty parlors, laundries, travel agencies, and restaurants.

The paper by the Hispanic Business Office also notes that a small but significant, number of larger enterprises have emerged in recent years in construction, banking, finance, advertising, communications, manufacturing, food processing, wholesaling, and export/import. These companies, each averaging over \$1 million in sales, are reported to be "flourishing." New York City is "hometown" for 27 of the top 500 Hispanic firms in the United States. These firms employ 2,885 persons and had sales of \$352 million in 1984.

After reviewing the Hispanic Business Office's paper, the members of the economic development subcommittee of the Commission, who are primarily senior banking officials and other businesspeople, concluded that the extent of the City's larger and moderate-size Hispanic businesses is grossly underestimated. One senior banking official on the Commission stated that he personally knows of over 200 Hispanic-owned firms in the City with sales of well over \$1 million per year. Further, members of the subcommittee are aware of 30 to 40 firms with over \$1 million in sales a year that have left New York City in the last three to four years (mainly to New Jersey). This has resulted in the loss of at least 5,000 direct and

indirect jobs for Hispanics. The most prominent of the major Hispanic businesses which relocated in New Jersey is Goya Foods. This business had employed hundreds of primarily Hispanic workers in the Bronx and had generated millions of dollars in sales each year. The loss of this firm also created indirect losses for many Hispanic-owned companies which supplied the services used by the Goya. In addition, the Commission noted that the Hispanic Business Office paper failed to take account of the number of new professional service businesses such as accountants and lawyers that have begun in the last several years.

In sum, the Hispanic business community in New York City is much larger, is growing faster and accounts for a greater and more significant amount of employment and revenue in the Hispanic community than the Hispanic Business Office paper indicated.

The City can greatly assist in this development and thereby have a dramatic impact on the social well-being of the Hispanic community. Presented below is a series of recommendations for changes at the Office of Business Development, the Public Development Corporation, the Financial Services Corporation, the Division of Real Property of the Department of General Services, and the Department of Ports, International Trade and Commerce and other relevant City agencies so that they might better meet the needs of the Hispanic community. Even with these changes, however, the Commission has concluded that necessary economic development cannot be achieved solely through existing programs.

To this end the Commission recommends the creation of the Hispanic Economic Development Office (HEDO). HEDO would be part of the office of the Deputy Mayor for Finance and Economic Development, reporting directly to the Deputy Mayor. It would advocate on behalf of the Hispanic business community with the City's economic development agencies and perform other functions, described herein, not currently provided to the Hispanic business community. HEDO is premised on the Commission's finding that the maintenance and growth the City's Hispanic business community is central to an economic turnaround in the City's Hispanic communities and that this cannot be accomplished through the current

governmental representation of Hispanic interests. Both the resources dedicated to the City's Hispanic Business Office and its location in the City's Office of Business Development underestimate the task at hand and the type of advocacy that is necessary to deliver the required services.

What is needed is a high-level office which can assume responsibility for assisting and generating economic development efforts in the City's many Hispanic communities through the City's existing economic development entities. This requires a higher level of accountability and a certain degree of administrative independence from the other economic development agencies.

In addition to the creation of HEDO to enhance the City's ongoing efforts in these communities, the Commission also proposes the creation of a Hispanic Public Benefit Corporation (described Chapter 4) to provide the City's Hispanics with the necessary resources and legal authority to initiate economic and housing development projects. Just as HEDO is important as a Hispanic advocate within the City's economic development programs, so is the Hispanic Public Benefit Corporation needed to initiate particular economic development and housing projects that can meet specific crises that are confronting different Hispanic communities in New York City. There will be areas, such as training, where HEDO will work with the Hispanic Public Benefit Corporation. Such cooperation can only enhance the effectiveness of each institution.

Create a Hispanic Economic Development Office to Advocate on Behalf of Hispanic Businesses

The primary responsibility for advocating on behalf of Hispanic businesses within the City's economic development agencies currently rests with the Hispanic Business Office of the Office of Business Development (OBD). The Hispanic Business Office reported to the Commission that it has been entrusted with the role of serving as the principle link between the administration and the Hispanic business community for dealing with unmet needs or unique problems that confront the Hispanic community. In addition, the Hispanic Business Office is expected to "garner opinions held

by entrepreneurs and the Hispanic media regarding City programs and policies they felt worked in favor or against their best interest and the community they represent." To carry out this task for the City's more than 18,000 Hispanic businesses, the Hispanic Business Office has a Director, an Assistant Director, and a secretary. The Commission recognizes that all Hispanic businesses do not turn to the Hispanic Business Office for assistance, but go directly to the appropriate industry desk at OBD. But many Hispanic businesses of all sizes have and will continue to seek assistance from the office. If the City does not create a program to encourage and develop Hispanic businesses, they will continue to migrate to New Jersey and Connecticut where local governments are ready to meet their needs through appropriate incentives and a recognition of the economic importance of the Hispanic business community.

The Hispanic Business Office states that it has concentrated its efforts on establishing and maintaining "face-to-face, two-way communications" with as many Hispanic business firms as possible, with the leadership of the Hispanic business associations, and with representatives of the Hispanic media. Its stated goal has been to convey to Hispanic businesspeople the Hispanic Business Office's usefulness as a government intermediary or ombudsman in their dealings with City agencies. The Hispanic Business Office reports a high degree of public recognition as a result, allowing it to identify new firms and do more case development.

During the 24 months that the Hispanic Business Office has been operating, it has "generated 1,207 business contacts," and "referred" 184 cases for action to the various units of OBD, the Public Development Corporation (PDC), and the Financial Services Corporation (FSC). According to the Hispanic Business Office, by the end of October 1985, there were 66 active cases that had been referred to the appropriate units of OBD, PDC, FSC, the Department of General Services' Division of Real Property, and the Department of Ports, International Trade and Commerce.

The Commission has carefully studied the Hispanic Business Office and the role that it plays in the Hispanic business community. The creation of the Office focused much attention within the Hispanic business

community on such questions as how government can assist Hispanic businesses, what are the legitimate expectations as to the services the Hispanic business community can expect from the City, and what greater role the Hispanic business community can fulfill in the City's many disadvantaged Hispanic communities. As a result of conversations held between the Commission and Hispanic and non-Hispanic businesspeople and community leaders, it became apparent that the Hispanic Business Office is not meeting the needs of the Hispanic business community. While the Office has served a valuable transitional role in highlighting the potential of an aggressive proactive entity acting on behalf of individual Hispanic businesspeople, its staffing and structural limitations are all too apparent. What is now needed is a separate unit within City government not under the oversight of the economic development agencies, yet able to work with these agencies.

The Commission has concluded that OBD's Hispanic Business Office must be replaced by the Hispanic Economic Development Office (HEDO), which will be responsible for advocating on behalf of Hispanic business interests in general and for guiding individual businesses which need assistance from one of the City's economic development agencies. HEDO will also have as its specific focus working with the Hispanic Public Benefit Corporation to identify development projects in the community. This will assist the City in developing vacant City-owned lots in Hispanic communities in a manner which utilizes Hispanic businesses and is consistent with the character of the community. Such projects could work to improve the quality of life in these communities rather than -- as they have a history of doing -- simply displacing Hispanic businesses and causing the demise of another Hispanic neighborhood.

Unlike the current Hispanic Business Office, HEDO will be part of the Office of the Deputy Mayor for Finance and Economic Development. This will give it authority over the other economic development agencies which the Hispanic Business Office currently lacks. The reason why direct accountability to the Deputy Mayor is important should be obvious. Decisions affecting Hispanic businesses are made every day by the City's economic development agencies. Practically speaking, there will be a

stronger likelihood of being listened to with HEDO in the Deputy Mayor's Office rather than buried with a small staff in one of the City's primary public relations agencies in the economic development area.

In addition to this general advocacy function, which is integrated into the Commission's recommendations regarding each of the City's economic development agencies, HEDO will also provide some services that are not currently offered to the Hispanic business community to any significant degree. By moving the function to the Deputy Mayor's Office, the Commission believes that legitimate Hispanic business interests will receive the attention they do not now receive.

In the course of its research the Commission discovered how little information, if any, there was concerning the Hispanic business community in the City's economic development agencies. It is of serious concern to the Commission that many high-level officials had no idea of the number of larger Hispanic businesses nor of their contribution to the City's economy. Such information is essential for effective business planning and targeted educational programs for the Hispanic business community. HEDO will gather such information to define the scope of the need.

HEDO will issue an annual report to the Mayor regarding the effectiveness of the City's economic development programs in the City's Hispanic communities and what these agencies have done to encourage Hispanic business activity.

HEDO also will play an active role in assisting in the development of local merchants' associations and local development corporations and in ensuring that they receive any needed technical assistance from the relevant City agencies.

An advisory board composed of Hispanic businesspeople and community leaders should define more precisely HEDO's responsibilities and the personnel necessary to carry out its functions. HEDO is to work with responsible City officials in developing a functional agency budget. Once HEDO is operational, the advisory board will work with the Deputy Mayor

to set priorities for the office's activities and to identify programs that it should be offering.

RECOMMENDATIONS

- * That the Mayor issue an executive order creating the Hispanic Economic Development Office (HEDO) which would replace the Office of Business Development's Hispanic Business Office. HEDO would report directly to the Deputy Mayor for Finance and Economic Development. This new office would have primary responsibility for advocating on behalf of Hispanic businesses for economic development in the City's Hispanic neighborhoods through existing City economic development entities and in cooperation with the newly created Hispanic Public Benefit Corporation. While not assuming any of the authority of the existing economic development agencies, HEDO would move the decisionmaking accountability to a higher level than currently exists and would enhance its advocacy abilities through a direct reporting relationship to the Deputy Mayor.
- * That an advisory board be established to work with the Deputy Mayor for Finance and Economic Development to define and set priorities for the needs of the Hispanic business community and to define HEDO's staffing and budget needs. HEDO must be adequately funded and staffed with experienced and competent officials. After the establishment of HEDO, the Board would serve in an advisory capacity to the agency.
- * That HEDO assist in the development and growth of merchants' associations and local development corporations in Hispanic communities by providing technical services and targeting available City resources meant to assist such organizations.
- * That HEDO serve as a resource center for information regarding the City's Hispanic business community through the collection and analysis of data for use in programmatic decisionmaking.

Ensure that Business Training Sessions Offered by the Office of Business Development Provide Substantive Educational Opportunities for Hispanic Businesspeople

The mission of the Office of Business Development (OBD) is to market the City's economic development program and services; provide direct services through OBD's Industry Desks; and to serve as the contact,

referral and catalyst for businesses seeking assistance from the City's economic development agencies. With this mission in mind, three years ago OBD created 14 Industry Desks (graphic arts, banking and finance, apparel, high technology, etc.), including the Hispanic Business Office, discussed above. As part of its responsibilities, OBD is responsible for providing a wide variety of training programs to familiarize businesspeople with modern business practices.

Small Hispanic businesses, like most small businesses, require training in modern business practices. Many Hispanics do not know some of the techniques and practices that can help avoid crisis situations. It is these crisis situations that result in most of the time-consuming and difficult work for the Hispanic Business Office and City's economic development agencies in general. Some of this work could be avoided or at least lessened by more preventive educational efforts.

The Commission was informed that OBD is planning to open a small business development center for training in the near future if the necessary federal and state money is made available. The center will reportedly increase OBD's capacity to provide technical assistance to small businesses by contracting with educational and not-for-profit institutions. While the plans for the center hold much promise of expanded technical education, the Commission is skeptical, in part because of the uncertainty of adequate funding but, more importantly, because of the ineffectiveness of past OBD educational efforts. Members of the Commission have attended educational forums sponsored by OBD. The uniform consensus among Commission members and others who were interviewed is that these educational programs are not focused, are ineffective and provide little real technical assistance. Apparently the most important purpose they serve is to familiarize the Hispanic business community with the fact that the City has an Office of Business Development.

Educational and training programs directed at the Hispanic business community should be carried out by HEDO rather than OBD. The Commission feels strongly that the quality of these educational and technical assistance programs should be carefully monitored. Steps should

be taken to survey participants as to the benefits derived from the seminars and to monitor the particular firms involved for the effectiveness of such sessions on sales, jobs created, City revenue generated, etc. If the seminars are intended primarily to market City economic development programs or to provide a forum to "network," they should be characterized as such. Such forums, however, do not meet the serious need for basic business education.

RECOMMENDATION

- * That educational and technical assistance programs sponsored by OBD for the Hispanic business community be transferred to HEDO. Such programs should be reviewed by an independent consultant to ensure that they provide training that will assist Hispanic businesspeople in dealing with actual business problems.

Make the Locally-Based Enterprise Program More Available for Hispanic Businesses or Adopt a Minority Set-Aside Program

The most publicly touted element of the City's minority business programs is the Locally-Based Enterprise Program (LBE). The LBE program reserves 10 percent of all City construction projects for companies certified as LBE-eligible. To be eligible a company must, among other criteria, be economically disadvantaged. There is no requirement that the firm be minority-owned. The responsibility for marketing the LBE program lies with the Mayor's Office of Construction and OBD. To date, the program has provided contracts valued at nearly \$200 million to participating firms. It has been praised by some for providing minority employment.

The simple fact is, however, that, as reported by the Mayor's Office of Construction -- only 45 (8.7%) of the 512 participating LBE firms have been Hispanic. Quite obviously, the program has not worked as far as generating significant involvement of Hispanic construction businesses. The program has either not been adequately marketed to the Hispanic business community or there is something intrinsically unappealing about doing construction for the City.

It is unclear exactly who is benefiting from the LBE program. The 1977 United States Census identified some 148 Hispanic construction firms in New York City; there may be many more in 1986. What efforts have been made to identify them and, if they otherwise qualify, to involve them in the LBE program?

It is the Commission's view that if the LBE program cannot be structured to reach out to more Hispanic construction companies, the City should adopt a "minority-based enterprise" model. Such programs are currently operated by the City pursuant to requirements in federal and State-funded construction contracts, with the Mayor's Office of Construction reviewing the minority firm participation to ensure compliance with the applicable regulations. Recognizing the differing philosophical views on this issue, the City can either help the Hispanic community to become self-sustaining by getting them a fair share of the City's business or decide to continue an economic development program in the construction area which effectively excludes those minority communities most in need.

RECOMMENDATION

- * That a more focused effort be made by OBD together with the HEDO to have Hispanic construction firms registered as Locally-Based Enterprises. If this effort is unsuccessful, the City must submit state or local legislation to adopt programs similar to that of the state and federal government which requires set-asides for minority business enterprises on City construction sites.

Aggressively Market the Recently Enacted Small Business Enterprise Program to Hispanic Businesses and City Agencies

The failure of the LBE program takes on greater significance because of OBD's additional responsibility under the recently passed Local Law 15, which established the Small Business Enterprise Program (SBE). This program is meant to expand procurement opportunities for small and minority contractors for certain goods purchased under some City contracts.

Before starting to market the new SBE program, HEDO should closely monitor the extent to which City agencies are reaching out to Hispanic service suppliers and devise the means by which such efforts could be made more effective. One way to enhance the SBE program would be for the HEDO and OBD to publish an updated directory of the purchasing requirements of each City agency, including the names of those individuals who do the purchasing, so that way minority firms can directly contact the City agencies. The directory should be circulated in both Spanish and English to a wide variety of Hispanic business organizations and people. This may lead to greater participation by minority firms than are currently active in the LBE program.

RECOMMENDATION

- * That the HEDO and OBD aggressively market the newly enacted Small Business Enterprise (SBE) program by supplying Hispanic businesses with a listing of all goods purchased by each City agency. If such efforts produce few results for Hispanic businesses, as with the LBE program, the City must adopt a similar set-side program in the services area.

Make the Office of Business Development's Retail Space Bank Available to Small Hispanic Businesses

OBD provides assistance in locating real estate for industrial and commercial companies that employ more than 10 persons and are relocating to or within the City, through the Space Bank, the largest computerized listing of industrial and commercial space in the City. To date, the program has been very successful in relocating over 240 firms within the City, resulting in the retention of over 9,400 jobs. However, it has had very little impact on the Hispanic business community since many Hispanic entrepreneurs are small businesspeople with fewer than ten employees. Consequently, small Hispanic businesses forced to relocate because of gentrification or other factors receive no assistance through the Space Bank. This often means that they simply disappear.

The primary assistance offered by the City is through OBD's Real Estate Business Organization program which connects retailers to local

merchant associations. Those businesspeople actually involved in retailing, however, have advised the Commission that such merchant associations typically work to exclude ethnic groups different than themselves or which might compete.

The Commission would expect to see HEDO and OBD expand the Space Bank to include retail space for small businesses which employ less than 10 people. The Commission recognizes that given the rapidly changing character of the small retail real estate market, such property listings are difficult to compile. It may be appropriate to start with a pilot project to determine what kind of listing is feasible given the practical and technological limitations in developing such a listing for a business sector with a high degree of turnover.

RECOMMENDATION

- * That OBD with HEDO expand the Space Bank to include retail space for small businesses which employ less than 10 persons. A pilot program should be developed in order to identify the administrative difficulties in setting up such a referral program.

Expand the Proposed East Harlem Opportunity Zone to Include Spanish East Harlem

OBD together with FSC, PDC, and the relevant borough presidents have applied to the State to create four opportunity zones in New York City. This is the first step in the establishment of 40 Opportunity Zones throughout the State, pursuant to the New York State Economic Development Zones Act. The legislation provides direct State benefits to businesses which locate within the zone. These benefits include a 3 percent utility (gas, electric, steam and water) bill reduction for nonretail businesses, a 25 percent credit for wages paid to "targeted" employees (such as those with low incomes or on public assistance), an investment tax credit of 10 percent with respect to tangible goods manufactured within the zones, an exemption from State sales tax for the purchase of building materials, and a capitalization credit for the purchase of original stock issued by an economic development zone capital corporation. The City has

applied for zones in East New York (Brooklyn), Port Morris (Bronx), Jamaica (Queens), and the East Harlem Triangle (Manhattan). The East Harlem zone will run along 125th Street between Fifth and First Avenues and along Park Avenue from 125th Street to 135th Street.

The Commission is disappointed that the proposed opportunity zone for Manhattan submitted by the City's Office of Economic Development and the Manhattan Borough President did not include a significant portion of the East Harlem Hispanic community. While the zone was located in East Harlem, the lines were drawn in such a way as to exclude effectively, the Hispanic business community from participation in any of the program benefits. Members of the Commission have met with the representatives of the Mayor's office and with the Manhattan Borough President on this issue. The Commission was advised that since the City had a relatively small amount of time to draw up the boundaries of the Opportunity Zone the Mayor's Office had been unable to do the kind of on-site survey necessary to determine whether parts of Spanish East Harlem could be included.

An understanding was reached between the Commission members and the City, the Borough President's Office, and the State Director of Economic Development to examine the possibility of including some parts of the Hispanic portions of East Harlem through the inclusion of a "subzone." Such an effort is an acknowledgement of the valuable role which such a zone could play in improving the economic development prospects of one of the most important areas to the Hispanic community. It is the Commission's understanding that the proposal for the "subzone" extension to the proposed Opportunity Zone will be submitted to the State before February 19, 1987. The subzone will have all the benefits shared by other portions of the opportunity zone.

The Opportunity Zone legislation offers an unprecedented opportunity for the development of job opportunities in blighted areas. In addition, Opportunity Zones offer a real chance for the City to encourage Hispanic business development. The various incentives offered by the State program on top of the City's existing economic development efforts may create the kind of environment that will enable some currently small to

medium-size Hispanic businesses to expand and generate more employment from the East Harlem community.

The Commission recommends that in the future, prior to submitting proposed Opportunity Zones to the State, the Mayor and the relevant Borough President appoint an advisory committee made up of businesspeople and community leaders involved with disadvantaged Hispanic communities to work with HEDO and the City's economic development agencies. The process for selecting the Zones should be done openly and with input from the Hispanic business community in order to maximize the positive opportunity this venture represents. Further, in establishing such a committee, the City may begin fulfilling its statutory requirement under the enabling legislation that there be meaningful participation by minority businesses in the program.

RECOMMENDATIONS

- * That the Mayor and the Manhattan Borough President's Office recommend to the State that a Hispanic subzone be added to the currently submitted Opportunity Zone for East Harlem.
- * That the Mayor appoint an advisory committee of Hispanic businesspeople and community leaders to advise on the implementation of the New York State Economic Development Zone Act.

Create a Board Committee of the Public Development Corporation that Would Examine, With the Assistance of HEDO, the Adequacy of the Corporation's Programs for Hispanic Businesses

The New York City Public Development Corporation (PDC) is a not-for-profit organization established, pursuant to Mayoral Executive Order No. 14, dated June 27, 1966, to serve as a flexible instrument for economic development in order to protect and enhance the City's job and income base. Organized as a local development corporation under Section 1411 of the Not-For-Profit Corporations Law, it is active in both industrial and commercial development. Its Board of Directors consists of 31 members representing business, labor and government. Some of its more notable projects over the past few years, carried out in conjunction with

the State Urban Development Corporation, have been the South Street Seaport and the Times Square Redevelopment Project.

After an extensive review of the programs offered by PDC and the projects it has chosen to implement, it is the Commission's view that although PDC has undertaken an occasional program aimed at the Hispanic business community, it has failed to encourage the development of Hispanic business interests or to reach out to the growing Hispanic financial community. PDC's mission is not only to handle large-scale development projects but to meet the needs of medium-size Hispanic businesses which desire to purchase City-owned vacant land and seek incentives for commercial development. The fact that in the last three to four years over 30 Hispanic firms have been forced to relocate from New York City, costing the City approximately 5,000 jobs in the Hispanic community either directly or in related service industries means, at least in part, that necessary assistance from PDC and the City's other economic development agencies was either insufficient or not rendered.

This perceived neglect has created a sense among Hispanic businesspeople that PDC is either insensitive or unaware of the needs of Hispanic businesspeople. PDC must acknowledge its responsibility to the Hispanic business community by recognizing the unique needs of the City's Hispanic business communities. Set out below are concrete steps which PDC should take if it is to provide the Hispanic business community the same level of services it has provided other economic sectors in the City.

RECOMMENDATION

- * That the Board of Directors of PDC create a committee to work with HEDO to encourage the development and implementation of programs for Hispanic businesses. The committee would also work with HEDO to improve PDC's outreach efforts, increase program activity, enhance development initiatives, and provide better relations with the Hispanic community. This committee should present a concrete plan of action to the Board of Directors within three months.

Take into Account the Interests of the Hispanic Community and Hispanic Businesses in Approving Sole Source Purchases of Land in Disadvantaged Hispanic Communities

The City of New York owns over 13,000 parcels of vacant land throughout the five boroughs, many located in Hispanic communities. The City's goal is to move these properties back into private hands so that they are put to productive use and generate new jobs and increased tax revenues. Most of the land disposition is done by auction on a quarterly basis by the Division of Real Property of the Department of General Services. PDC sells some properties through requests for proposals for major complex projects when there are environmental, zoning, design and other issues where the financial and managerial capacity of the developer is an important consideration. The City transfers property to PDC for sale on a sole source basis to firms needing it for business purposes. In making such a decision, PDC examines the number of jobs created, project feasibility, etc. The sale price is usually the appraisal.

The City is currently studying proposals to change the guidelines for sole source sales. One proposed basis for a sole source sale is that an "overriding public purpose" be served. While the term is left vague, the Commission agrees that sole source sales should be made when there is an overriding public purpose. It is the Commission's view, however, that in determining whether to approve a sole source purchase that is in a disadvantaged Hispanic community, the City must recognize that the particular community -- and the Hispanic business community City-wide -- have a clear stake in the land's disposition. For instance, they will want to know what the land will be used for, confirm whether the use is consistent with the character and business needs of the community, and ascertain whether the business involved will be using Hispanic business assistance to a significant degree.

The Commission recommends that for sole source sales in economically disadvantaged Hispanic communities the City take into account, among the many factors which go into such decisions, the impact of the project on the character of the neighborhood and local businesses, and whether the purchaser is planning to utilize Hispanic businesses in constructing the

project. The review as to whether these factors have been clearly identified and weighed should be determined by HEDO in conjunction with PDC. These are legitimate concerns in the City's determination of whether the buyer is meeting an "overriding public purpose."

If these factors are not present but the City decides to proceed with the sale anyway, then the local Hispanic community or Hispanic business interests should be given an opportunity to compete on an equal footing with the proposed buyer. For example, a Hispanic businessperson may be able to propose a use for the land which will produce a higher return for the City, more jobs, and as strong a tax base as the non-Hispanic company that is arguing it be given the land. The City should allow the local community or Hispanic business interest a three-month period in which to bid on the property designated for sole source purchase and that, the purchaser be chosen on the same basis as the City currently decides on a developer in the request for proposals process.

It is as much in the City's financial interest to foster long-range Hispanic economic development as it is to look at the dollar return on the specific piece of property being sold. By failing to utilize Hispanic developers, or take into account the needs of the particular Hispanic community where the property is located, the City only continues to relegate the interests of the Hispanic community and the Hispanic business community to the social and economic margin. A land disposition process which specifically takes these interests into account clearly advances the economic development of the City's economically depressed Hispanic communities.

Nowhere does there exist a better opportunity for PDC and other relevant City economic development agencies to do this than in El Barrio. As was made clear at the Commission's public hearings, El Barrio has become an economic and cultural symbol for the Hispanics in New York City; the integrity of its Hispanic character must be recognized.

An example of an economic development project in El Barrio which effectively utilizes Hispanic businesspeople and seeks to maintain the

character of the community is the development of La Marqueta. The City, through the Department of Ports, International Trade and Commerce, is currently negotiating the terms of a lease for La Marqueta. The improvements the City is seeking represent an effort to build upon the economic viability of an important institution within the community. If additional funds are allocated to enhance the area around La Marqueta through better lighting, more parking facilities, improved roads, etc., this development could be the hub of a larger project. For example, as part of the East Harlem Housing Demonstration Project, described in the chapter on Housing, 500 City-owned vacant in rem units could be designated for rehabilitation for low and middle-income residents around the improved La Marqueta area. The City should view the initiation of the redevelopment of La Marqueta as a beginning and not the end of its commitment to El Barrio.

RECOMMENDATION

- * That, in determining whether such an overriding public purpose exists for a sole source land sale in East Harlem and other disadvantaged Hispanic neighborhoods, PDC must include a review of whether the sale will maintain the Hispanic integrity of the community, involve the significant use of Hispanic businesses and create jobs for community residents. HEDO should be responsible for providing such information and input to PDC and other relevant agencies. If the City decides to proceed with the sole source sale, then the Hispanic community or Hispanic developer must also be given the right to bid competitively on the land. This right to bid would also be made available to non-Hispanics who meet this criteria. This would, in effect, convert a sole source purchase into a restricted bid sale or a request for proposals with the Hispanic bidder being held to all the same criteria as any other interested party. Such a requirement may necessitate additional City or State legislation.

Include More Hispanic Representation on the Public Development Corporation Board of Directors

The Commission concludes easily that there is inadequate representation of the views of the Hispanic business community on the Board of PDC, after having been advised that there is only one Hispanic

member raising Hispanic business concerns on the Board. This history of underrepresentation has resulted in insufficient outreach and an overriding insensitivity to the ever-growing potential of the Hispanic business community.

RECOMMENDATION

- * That Hispanic membership on the PDC Board of Directors be increased and that the Board work closely with HEDO to improve PDC's outreach efforts and to enhance Hispanic development initiatives.

Increase Availability of Industrial Development Bonds Offered by the Financial Services Corporation's Industrial Development Agency

The Financial Services Corporation (FSC) of New York City is a not-for-profit corporation designed to promote and encourage economic development within New York City by offering various federal, State, and City financial assistance programs. FSC seeks to encourage business expansion and relocation throughout the City's five boroughs. In turn, these firms are expected to provide employment and broaden the City's tax base. FSC offers below market-rate loans, grants, and energy cost reductions to qualified industrial and commercial businesses.

A promising change has been the willingness of FSC to study modifications in FSC's Industrial Development Agency (IDA). IDA issues tax exempt Industrial Development Bonds (IDBs) which are purchased by financial institutions, sellers of real property or private investors and provide funds for developing businesses. Only one Hispanic business has been able to obtain a bond from the IDA program, and that was in 1978. This is largely because the program was strictly aimed at large businesses with the average bond being \$1.9 million. The program is designed for such large amounts because, the Commission was advised, because the sponsoring banks would only absorb the necessary transactional costs if the project involved a minimum of approximately \$500,000.

The Commission recommended that FSC study the possibility of pooling small bond issuances to help lower the transactional costs which keep so

many small businesses from participating in the program. Pooling would join smaller deals into one substantial bond issue so that some of the fixed transition costs can be shared by the participating firms. FSC should hire a financial advisor to enable it to charge lower expenses through this "bulk" type sale. A possible pilot project for pooled IDBs could involve businesses in La Marqueta in El Barrio. There are many small business in El Barrio which may be willing to form an IDB pool.

The Commission feels that although FSC has shown some interest in developing financial assistance within the constraints of the IDA program, much more can be done. FSC should set clear goals as to the number of pooled IDBs consisting of Hispanic businesses it will issue over the current and next fiscal year. The Commission is aware of many medium-size Hispanic businesses which could use the assistance of such pooled bonds. Without clear objectives, these well-intentioned program modifications will be forgotten because of the resource demands of larger projects. The Commission recommends that IDA issue five Hispanic IDBs in fiscal year 1987 and ten in fiscal year 1988.

RECOMMENDATION

- * That FSC assist small to medium-size Hispanic businesses through pooled Industrial Development Bonds. Five of these packages should be issued to Hispanic businesses in fiscal year 1987 and 10 in fiscal year 1988. If legislation is required to enable FSC to specifically target Hispanic businesses, such legislation should be developed by FSC and introduced on behalf of the City.

Increase Financial Assistance to Hispanic Construction Firms

The most acclaimed FSC program to emerge in the last several years is the Small and Minority-Owned Construction Firm Working Capital Loan Guarantee Program (SMOC). SMOC was created to help construction firms get the working capital needed to secure bonded contracts and build solid relationships with financial institutions. Thus far, however, FSC has only approved nine firms for \$350,000 of loan guarantees. The program has been unsuccessful for many reasons, all of which could be solved if the necessary attention and resources were dedicated to it. There is no staff

at FSC to run the program, rather, the Office of Business Development (OBD) markets the program to minority construction companies (an effort which can hardly be called successful). To perform this service for FSC, OBD absorbs \$100,000 of the \$360,000 program.

This division of responsibility makes no sense. The program should be run out of one agency with assistance from HEDO in order to maximize that agency's incentive to market the program. Finally, a budget of \$360,000 for such a promising program is patently inadequate. The sum should be increased to \$3 million in fiscal year 1987 and \$6 million in fiscal year 1988.

With the City's loan guarantees, SMOC could also be the basis for creating a broader based program that provides working capital financing assistance to firms that would otherwise be ignored by private sources. However, since banks make credit decisions based on a company's individual credit status without regard to the City loan guarantee, using of the program for capital has not been successful. Thus far, only three banks have shown an interest in the program as a basis for providing working capital.

RECOMMENDATIONS

- * That the budget for SMOC be increased to \$3 million in fiscal year 1987. FSC, working with the HEDO, should retain complete responsibility for the program.
- * That City officials, including the Mayor, strongly urge financial institutions to provide working capital for companies participating in SMOC.

Make Working Capital Loans Available for Hispanic Businesses Contracting With the City

In the course of preparing this report, the Commission met with FSC and OBD officials to discuss the possibility of developing a small business loan program. All agreed that what is needed is a small business loan program not based on the value of fixed assets which a company might make available. Given several unsuccessful attempts, the difficulty in

developing such a program was acknowledged. The Commission and the interested City officials feel that before such a program can be outlined, a consultant must be retained to examine Hispanic business needs in order to properly assess its feasibility. The Commission has been advised that an RFP has been developed and issued. The selection of a contractor should be made by FSC in conjunction with HEDO.

Whether or not the RFP is successfully issued, a program that provides working capital loans to small and medium-size Hispanic businesses doing business with the City is imperative. The State has recognized this need in creating the Minority Revolving Loan Fund, which states that it will provide working capital and fixed-asset assistance to minority and women-owned enterprises in New York State. FSC states that it expects to work closely with the fund and eligible businesses to ensure that New York City businesses use this program. There is such a large need for such funds among firms wishing to do business with the City, however, the City must develop its own program directed at the needs of locally based minority enterprises doing business with the City. However, the need for working capital is too great to be left to one program.

There are several models for working capital loan programs which the City could adopt. For example, during the development of the South Street Seaport, FSC, working in conjunction with the State, started the South Street Seaport Minority Assistance Program (SSSMAP). The SSSMAP was a creative way to obtain money to start up minority businesses in a major City development through interest subsidies. Thus far, FSC has helped six minority firms with financing assistance from the SSSMAP. Such a model could be attempted on other major development sites. While the interest subsidy approach may work in some cases, a more effective program would be to develop a loan participation program with local banks. For example, a bank would contribute 20 percent and the City would contribute 80 percent of the required funds. This program would be administered by the participating banks working with the City. It is the experience of the Commission members that programs utilizing a bank as administrator have a better chance of encouraging those business most likely to succeed. There are many other models to choose from in

developing an effective working capital program. The City should complete a survey of the Hispanic business community, solicit the support and cooperation of Hispanic banks, and develop a loan participation program for those having businesses with the City. The rationale for limiting such a program to those contracting with the City is the lack of resources available to the program.

RECOMMENDATION

- * That FSC, working with the HEDO, develop a working capital loan program for firms doing business with the City as suppliers or contractors. Such loans will be secured by a lien on receivables and inventory rather than simply fixed assets. The need for such a loan program is too great for the Hispanic business community to rely solely on the State's program. The City should complete its study of the specific type of loans that are needed by New York City's Hispanic businesses and have a working capital loan program in the place by July 1987 for those contracting with the City. The decisionmaking on loan applications should be made by FSC, consultation with HEDO.

Expand Outreach by the Financial Services Corporation

FSC should monitor how it deals with Hispanic businesspeople seeking financial assistance from the agency in order to determine its adequacy. FSC should determine whether its programs meet the needs of the Hispanic community and which segments of the Hispanic business community are seeking FSC's assistance. In the long run, such monitoring will only make the agency more effective and responsive to the needs of Hispanic businesses. If programs are found to be ineffective and not serving Hispanic business needs, FSC, in consultation with HEDO, should restructure the existing financial assistance or develop new programs.

RECOMMENDATION

- * That the outreach efforts of FSC be evaluated on a yearly basis by an independent consulting firm to determine the effectiveness of its programs. For those programs identified as ineffective, FSC should work with HEDO to decide to improve or eliminate them. The results of such a review should be analyzed by HEDO

and specific recommendations made for improvement of the record.

Restrict Auctions by the Department of General Services' Division of Real Property of Vacant City Parcels in Disadvantaged Hispanic Communities

The Division of Real Property (DRP) of the Department of General Services, as mentioned previously, holds quarterly auctions of property for sale or long-term lease. "Straight" auctions include no restrictions on use or requirements that the property be used or improved rather than held for speculation. Such auctions may maximize revenues but may not necessarily maximize economic development. On the other hand, in a "restricted" auction a variety of conditions may be established regarding use, development, subsequent resale, and so forth. If the parcel is vacant land, for example, the purchaser or lessee may be required to begin or complete construction according to a schedule. DRP sold 24 parcels through restricted auctions in fiscal year 1986 -- a small portion of its total sales. As part of the Neighboring Industrial Commercial Owners Program (NICOP), a special program initiated by DRP for smaller parcels intended for conveyance to adjacent owners, 40 parcels were sold in fiscal year 1986.

The Commission recognizes that there may be a trade-off between the imposition of bid restrictions and the maximization of competition, and therefore profit, through straight auctions. It is the Commission's view, however, that in selling vacant parcels in economically depressed Hispanic communities, the City must provide restrictions which give a preference to bids utilizing the property in a manner consistent with the character of the Hispanic community and making good faith efforts to use Hispanic labor. Such a restriction may limit the universe of interested buyers. The gain for the City however, is that the integrity of the Hispanic character of the community will be maintained and that Hispanic businesses will be used -- two accomplishments that can only help to further the overall economic well-being of the Hispanic community.

RECOMMENDATION

- * That the City auction parcels of land in economically disadvantaged Hispanic communities through a restricted auction process. The auction terms should require that the land will be used in a manner consistent with the character of a particular Hispanic community and that the developer seek to maximize the use of Hispanic businesses in the construction of the project. Such auction restrictions and any necessary legislation should be developed by DRP in conjunction with HEDO.

Develop Plan for Creation of New Hunts Point Facility for Use by Wholesalers and as an Incubator for Promising Businesses

The Department of Ports, International Trade and Commerce is responsible for running the various wholesale markets in the City. One of the most significant of its current projects is the redevelopment of La Marqueta, described in more detail earlier in this chapter. Another of its major responsibilities is the Hunts Point Market. The Hunts Point Food Distribution Center includes a produce and meat co-op, a warehouse, a food processing plant, and approximately 60 acres of undeveloped land. Although space for new wholesalers is limited in the existing facility, the vacant site presents opportunities for new market operations. This could include a truck stop, a cold storage facility, and distribution outlets for new wholesalers.

The Commission recommends that over the next six months the Department of Ports formulates a master plan for developing these vacant sites. As part of this master plan development, the Department should consult with Hispanic wholesalers to ensure that their business needs are incorporated into the final plan.

In addition, the City should solicit proposals to build a cooperative facility on this site to provide additional space for wholesalers. This facility could benefit Hispanic firms in two ways: first, it could provide a building which small wholesalers could not obtain on their own; second, it could be the location for an incubator for new Hispanic or other programs that show potential for future expansion. The development of such a

master plan, the Commission contends, would do much to expand the ever-diminishing space available to Hispanic wholesalers.

RECOMMENDATION

- * That the Department of Ports develop a plan for the creation of a new Hunts Point facility on the 60 acres next to the Hunts Point Market. This facility would provide an incubator for small, innovative firms and space for additional wholesalers. Specific efforts should be made to attract Hispanic wholesalers and to attract Hispanic businesses which meet the criteria for such incubator space.

Redesign the Procedures for the Purchase of Small Parcels of City Land to Eliminate Existing Delays

Probably no area is of greater concern to the Hispanic business community than the delays encountered in sole source purchases of City-owned land for commercial use. The process can take anywhere from one to two years -- a real problem for the medium-size businessperson who needs City land quickly because of a forced relocation or the necessity of a rapid expansion to an adjacent site.

Currently, procedural delays make City land purchases practically impossible for the small to medium-size business to complete in a timely manner. For example, even if PDC advocates the sale of City property to particular Hispanic businesspeople, another City agency can put a "hold" on the sale for several months. Once that hold is lifted, the small businessperson must then begin the negotiations for any necessary zoning changes, Uniform Land Use Review Procedure approval, approvals by the relevant community board, the Board of Estimate, the Board of Standards and Appeals, and other regulatory agencies. What is especially exacerbating is that approval by the Board of Estimate is required by the Uniform Land Use Review procedures even though no change in use or zoning is proposed. The effect of this lengthy process is to make it very difficult for small businesspeople who need to move to stay in business. Unlike larger corporations with substantial credit lines and other financial "cushions," the purchase of a particular City lot may be a matter of life

or death for the small or medium-size businessperson. Many small businesses go under or are forced to relocate outside the City because of an inability to sustain themselves until the land purchase is approved.

In order to address this issue, the Mayor must appoint a committee of representatives of the Board of Standards and Appeals, community boards in Hispanic areas, the Planning Commission, PDC, OBD, HEDO and relevant political leaders to devise an expeditious sole source disposition process for small parcels of City-owned land. The Commission is convinced that new procedures could be developed which would take into account the legitimate land use concerns of the regulatory agencies. Further, such a process would effectively "save" many medium-size businesses. The Mayor should appoint a representative advisory body to recommend legislative changes that will meet the needs of public review of development projects and expedite the disposition process for small parcels.

RECOMMENDATIONS

- * That the Mayor appoint an advisory group to recommend legislative and regulatory changes that will enable the small and medium-size businesses to receive an expeditious response as to whether small land purchases of City-owned land can be made. The study group should submit its report to the Mayor within six months.
- * That, in order to address the expressed frustration at the process of acquiring land from the City, there be regular communication with the interested purchaser and with other relevant agencies involved with the process. If a particular site is unavailable, there should be additional outreach to help Hispanic businesspeople obtain alternative sites.

Work Toward Assuring Small Hispanic Business of Affordable Retail Space

Although not a matter within the control of OBD, but one of vital importance to the economic well-being of the Hispanic community, is the growing problem of rent structures gone awry in neighborhood retail store strips. This problem is City-wide and not just restricted to Hispanic communities. Moreover, specific attention has been given to the subject

by a number of political leaders, business leaders, merchant organizations and at least one Mayoral commission.

Neighborhoods are strengthened and defined by the availability and stability of essential retail outlets. The essence of an urban lifestyle -- that is, the heartbeat of any city -- depends on vibrant, functioning clusters of retail stores. Hispanic neighborhoods have for years felt the impact of the closing of stores as population and purchasing power decreased. Today, many Hispanic communities are experiencing further reductions in essential retail services as neighborhoods improve. Rental space rates quickly soar as upper-income boutiques and bistros replace more essential retail outlets.

RECOMMENDATION

- * That the City's principal economic development agencies should continuously work toward assuring that affordable retail space for essential services is available in all neighborhoods. HEDO together with the appropriate City agencies should report to the Mayor within six months as to how this can be accomplished.

CHAPTER 3

HOUSING

The stability of Hispanic neighborhoods is an essential thread in the fabric that can help Hispanic families stay intact. Without a solid and dependable home base, the Hispanic family is vulnerable to disintegration. The federal government's retreat from housing programs is a severe threat to providing Hispanic families with affordable housing. However, the Mayor's Ten Year, \$4.2 Billion Plan ("Ten Year Plan") to produce, preserve, and upgrade 252,000 housing units sets an optimistic tone for aggressive solutions to the shortage of affordable housing. It is a monumental effort to bridge the gap between housing need and availability by providing 126,000 low-income units and 93,000 moderate-income units. At all levels of City government housing officials claim that, for once, money is not an obstacle because the City's and State's financial commitments are there. The Hispanic community applauds the plan but is concerned that the City may have difficulty implementing its ambitious goal within a reasonable timeframe. In addition, there is a growing fear that Hispanics will not get their fair share of the housing created under the Ten Year Plan. This fear is in part generated by the disappointments and frustrations the Hispanic community has experienced with the Department of Housing Preservation and Development's (HPD) Homesteading Program and the \$1 Building Sale Program.

Professor Michael Stegman's report, Housing in New York City: Study of a City 1984 (Stegman Report), concludes that "The likelihood that a family lives in a dilapidated apartment varies by race and ethnic origin." This "ethnic pattern" demonstrates that for Hispanic families the probability of living in substandard housing is particularly high and correlates with patterns of poverty in New York City. The median income

for Puerto Ricans¹ in New York City was estimated to be only \$7,748; for "other Hispanics" the medium income was \$11,341; and for whites it was \$17,893. The effect of low income on a family's ability to find adequate housing is obvious. According to the 1984 statistics provided to the Commission by HPD, 3.4 percent of occupied rental units in the City are classified as "dilapidated" and 20.5 percent are reported to have three or more maintenance deficiencies. Only 1.3 percent of white households live in "dilapidated" units and 11.2 percent rent units with three or more maintenance deficiencies. In stark contrast to these numbers, over 7.6 percent of Puerto Rican households live in "dilapidated" housing and 32.5 percent rent units with three or more maintenance deficiencies. Although HPD has indicated that from 1981 to 1984 the housing condition of Hispanics improved, much more needs to be done to guarantee that adequate housing is within the economic reach of this community. (See Table 1 below.)

These deteriorated conditions are further aggravated by overcrowding and the "hidden homeless" who are forced to double-up with friends and relatives. The overcrowded conditions of Hispanic families contrasts sharply with the City population as a whole. The Stegman Report indicates that nearly one-third of all renter households in the City contain just one person. HPD's past housing programs have failed to have a significant impact on this problem in Hispanic communities.

¹The use of "Puerto Rican" and "other Hispanics" is a reflection of the categories used in the cited studies. The Census Bureau defines "Puerto Rican" as individuals who were born in Puerto Rico and individuals with at least one parent who was born in Puerto Rico. All other Puerto Ricans are included in "other Hispanics".

TABLE 1

Condition Characteristics of New York City Renter Occupied Units

	TOTAL	WHITE	BLACK	PUERTO RICAN	OTHER HISPANIC	OTHER
% Occupying Dilapidated Units in 1984	3.4	1.3	5.7	7.6	2.6	5.2
% Occupying Dilapidated Units in 1981	4.2	2.4	6.0	9.4	4.8	2.7
% Units With 3 or more Maintenance Deficiencies in 1984	20.5	11.2	32.2	32.5	24.3	25.5
% Units With 3 or more Maintenance Deficiencies in 1981	20.6	11.1	34.3	38.1	30.2	16.0
% Units with Boarded Up Buildings on Block in 1984	20.5	7.6	39.2	41.1	18.0	22.6
% Units with Boarded Up Buildings on Block in 1981	23.3	9.7	44.9	45.8	30.2	16.2

Despite substandard housing conditions, Puerto Ricans use a larger portion of their income for rent and are less likely to be homeowners. The median gross rent/income ratio for Puerto Rican households is 35.4 percent as compared to 29.2 percent for city renters as a whole. The result is that the neediest segment of our population lives in substandard housing and pays more than a reasonable portion of their income for rent. This situation has worsened as a result of the federal cut of Section 8 rent subsidies for which 48 percent of all Puerto Rican renters qualify.

The ethnic pattern of housing disenfranchisement is also evidenced by the low percentage of Puerto Rican home owners. Although the home ownership rate for Puerto Ricans increased from 8.6 percent in 1981 to 10.5 percent in 1984, the rate is still substantially lower than the 37.8 percent home ownership rate for white households and 26.5 percent home ownership rate for black households. (See Table 2 below.)

TABLE 2

Selected Characteristics of New York City Renter Occupied Units, 1984

	TOTAL	WHITE	BLACK	PUERTO RICAN	OTHER HISPANIC	OTHER
1983 Median Household Income	12,797	17,893	10,980	7,748	11,341	12,938
1980 Median Household Income	11,001	13,970	9,107	6,803	10,322	11,624
% Median Gross Rent/ Income Ratio, 1984	29.2	27.2	29.4	35.4	33.2	30.0
% Median Gross Rent/ Income Ratio, 1981	28.0	26.0	28.0	35.7	30.0	27.0
% Households with Gross Rent/Income Ratio at or above 40% in 1984	32.9	28.0	33.6	44.8	38.6	34.3
% Households with Gross Rent/Income Ratio at or above 40% in 1981	30.5	25.9	32.0	44.6	36.8	25.1
% Home Ownership 1984		37.8	26.5	10.5	15.6	22.2
% Home Ownership 1981		35.4	22.9	8.6	14.9	23.6

It is the Commission's conclusion that Hispanic home ownership is one of the primary keys to neighborhood stabilization. In addition, a long-term plan for affordable rentals is the only way that the City will be able to prevent a further increase in the homeless population. The Ten Year Plan must reflect this reality. Set forth below are programmatic changes that can expedite the goal of providing Hispanics with decent affordable housing. These programmatic changes alone, however, may not be sufficient. A Hispanic Public Benefit Corporation should also be created to promote Hispanic home ownership and generate affordable rental housing by focusing on specific development projects and expediting construction and renovation. A detailed recommendation concerning the necessity of this independent entity is in Chapter 4.

Preserve 70 Percent of In Rem Buildings for Low and Moderate-Income Housing

The potential for home ownership and affordable rentals for Hispanic families hinges on the development of the City's in rem housing stock and vacant land. The term in rem refers to buildings transferred to City ownership pursuant to tax foreclosure proceedings. According to the Stegman Report, the City's in rem housing inventory consists of 120,000 units, of which 38 percent are occupied. In addition to multiple dwellings, the City's in rem housing stock also includes approximately 1,200 units which are located in one and two family homes. During the course of the Commission's public hearings, numerous participants described the demoralizing effect that these empty structures have on their communities. However, with the proper City policy these small boarded up units could come to symbolize the revitalization of their neighborhood.

The Commission agrees with the conclusion in the Stegman Report that, "It is clearer now than it ever has been that, distressed as it is, a major segment of the in rem stock is the sole housing option for a large number of poor New Yorkers." Housing advocates and community organizations concur that these units constitute the single biggest resource for low and moderate-income housing. In addition, the City's vacant land is an important resource for the development of Hispanic home ownership through the construction of moderate and middle-income housing.

RECOMMENDATIONS

- * That the City reserve 70 percent of its in rem housing units for rehabilitation for low and moderate income housing in the following neighborhoods: the South Bronx, East Harlem, the Lower East Side, Williamsburg, Sunset Park and Jackson Heights. This percentage reflects the Mayor's budgetary set aside for low and moderate income housing which is set forth in the Ten Year Plan.
- * That the City reserve 70 percent of its vacant lots in the South Bronx, East Harlem, the Lower East Side, Williamsburg, Sunset Park and Jackson Heights for construction of moderate and middle income housing the funds of which will be used to subsidize low income rehabilitation.

Establish a Demonstration Project in East Harlem to Rehabilitate 70 Percent of Vacant In Rem Units for Low and Moderate-Income Housing

HPD has informed the Commission that it is planning to dispose of 3,000 in rem units for development into low and moderate-income housing. The disposition procedure for vacant in rem housing is particularly relevant to the development of Hispanic neighborhoods. Throughout the course of the Commission's public hearings, community participants insisted that the massive displacement of Hispanic families from their neighborhoods be addressed in this report. Real estate appreciation and the popularity of areas such as the Lower East Side, East Harlem, Williamsburg, Jackson Heights and Sunset Park threaten an alarming number of Hispanic homes. The City's commitment to maintaining community integrity in the wake of property appreciation is the key element which can ensure that the people currently living in these neighborhoods are not displaced as a direct or indirect result of City actions.

The East Harlem community of Community District 11 illustrates the vulnerability of Hispanic neighborhoods. First, the percentage of owner occupancy for housing units in this area is only 4.7 percent. Second, data provided to the Commission from the Office of Business Development revealed that only 15 percent of the housing stock was rated in excellent or good condition; 23 percent was rated fair; 52 percent was rated poor; and 10 percent was recommended for demolition. Third, HPD has informed the Commission that in Community District 11 there are approximately 1,630 occupied in rem units and 2,790 vacant in rem units. Without strict control of the disposition of in rem housing, East Harlem will be the target of speculation and community displacement. The stability and rehabilitation of the Hispanic community hinges on whether community preference is the focal point of the mechanisms that the City chooses to implement.

As a result of discussions with the Commission, HPD has agreed, in principle, to establish a demonstration project to renovate in rem units in East Harlem. A carefully developed demonstration project for these in rem units could serve as a useful blueprint for further in rem development in other Hispanic communities. The Commission believes that the following guidelines must be incorporated into the plan. Pursuant to the

demonstration project, HPD would dispose of its East Harlem property in accordance with community plans aimed at preventing Hispanic displacement. The demonstration project would include community plans targeting groups of proximate buildings for low, moderate and middle income housing and package them for disposition to a developer. In addition, the project would provide for cross-subsidy development.

The Commission recommends that the demonstration project focus on packaging groups of buildings for disposition instead of using HPD's current approach of parcelling them out individually. The packaged approach has two major advantages for both the City and the Hispanic community. First, packaging buildings facilitates neighborhood planning and community integrity. Second, as acknowledged in On Its Own: New York City Approaches Affordable Housing (Council Report), effective packaging reduces costs and serves as an incentive for private developers to construct affordable housing.

As part of the demonstration project, HPD could transfer its packaged buildings and vacant lots through a combination of development mechanisms:

1. Buildings could be transferred to a private Hispanic business organization that, in cooperation with community-based organizations, would develop and manage affordable housing for Hispanics in Hispanic neighborhoods.
2. HPD could sell the property to a general contractor or construction manager for a nominal fee pursuant to a contract which sets forth the total cost of renovation. The contract would also specify that upon completion, the developer must sell the property to a community-based organization for a set price which would allow the contractor a reasonable profit. The community-based organization would then manage the building.
3. Packaged buildings and vacant lots could also be transferred to a Mutual Housing Association (MHA) such as the one which is

currently being organized by the Neighborhood Reinvestment Corporation (NRC) on the Lower East Side. An MHA is an organization which is established to own, manage, and develop affordable housing pursuant to a partnership among tenants, neighbors, businesses, and government representatives. The units would be developed and then rented for a lifetime occupancy which could be passed on to a designated relative. The MHA concept, focusing on both housing development and community revitalization, has worked successfully in Baltimore. Although HPD has informed the Commission that it is uncertain whether this model is suitable for New York City, the agency should give it careful consideration.

Small buildings that are not appropriate for packaging could also be disposed of by taking advantage of small scale sweat-equity efforts that merit replication and support. The City could take advantage of these success stories by actively pursuing private corporations to sponsor the renovation of specific one and two family dwellings for low and moderate income housing. Corporate sponsorship of small rehabilitation projects will provide the projects with the financing and technical assistance they need to succeed.

RECOMMENDATIONS

- * That the City set aside 70 percent of its 2,790 vacant in rem units in East Harlem for a demonstration project which will produce low and moderate-income housing for community residents.
- * That as a part of the East Harlem demonstration project, HPD develop a community plan aimed at using in rem housing to stop Hispanic displacement in that community.
- * That as part of the East Harlem demonstration project, HPD package targeted groups of proximate buildings for the development of low and moderate income housing.
- * That as part of the East Harlem demonstration project, HPD dispose of packaged buildings through the following mechanisms:

1. A private Hispanic business organization that could develop and manage affordable housing in cooperation with community-based organizations.
 2. A general contractor or construction manager who could renovate the units pursuant to a contract which sets forth the total cost. The contract could also specify that upon completion of the units, the general contractor or construction manager would sell the units to a community-based organization for a set price.
 3. A neighborhood mutual housing association that could develop and manage affordable rental units.
- * That HPD use the East Harlem demonstration project to develop neighborhood plans to guard against Hispanic displacement due to direct or indirect City actions in the following areas: the Lower East Side, Williamsburg, Sunset Park, the South Bronx and Jackson Heights.
 - * That HPD initiate corporate sponsorships of in rem buildings that are suitable for sweat-equity rehabilitation of low and moderate income housing.

Expand Cooperative Conversion of Occupied In Rem Buildings

The City is the landlord for tens of thousands of New York City residents. As of January 1986, HPD's Office of Property Management (ODPM) managed approximately 4,500 occupied in rem buildings with 45,900 occupied residential units. Thirty-four percent of the in rem tenants are Hispanic. As a result of the prior owner's neglect and abandonment, many of these buildings are among the most severely deteriorated housing stock in the City. As a result, a household living in an in rem building is five times more likely than the average New Yorker to live in a dilapidated apartment. Although the rents collected from these buildings do not cover operating costs, ODPM's responsibility is to provide tenants with adequate maintenance and management services.

Approximately 12,500 occupied in rem units participate in HPD's Division of Alternative Management (DAMP). Under DAMP's supervision, tenant associations, community organizations, and private management firms perform all management functions. These alternative managers have a targeted date to convert these buildings into tenant cooperatives. In

order to participate in DAMP, the building and its tenants must meet the minimum criteria established by the program.

DAMP presents an excellent opportunity for Hispanic families to own apartments and to develop leadership and management skills. Although HPD representatives have stated at Commission meetings that they are unable to find Hispanics that are interested in DAMP, they also admitted that they were not recruiting for DAMP because their resources were already overburdened. The Urban Coalition study, New York City In Rem Housing Program, 1985, concludes that there is a large demand for DAMP participation by in rem tenants. The City should take advantage of tenant interest and attempt to dispose of the maximum number of units possible through this process.

RECOMMENDATIONS

- * That the City allocate increased funding to HPD's Division of Alternative Management and other property management programs to enable them to expand cooperative conversion of occupied in rem units.
- * That HPD make an aggressive outreach effort to recruit more predominantly Hispanic buildings into the Division of Alternative Management and other property management programs.

Streamline the City's Permit Procedures to Reflect the Needs of Small Hispanic Developers

The Mayor's Office of Housing Coordination is currently attempting to streamline the City's unnecessary and inefficient maze of housing applications, permits, variances, and other administrative procedures. In performing its duties, this Office must be sensitive to the particular needs of the Hispanic community by working to eliminate the burdensome barriers that prevent many small Hispanic contractors, developers, and individuals from participating in municipal housing programs and incentives. If large contractors find the procedures they are required to follow burdensome, then it is understandable how those same procedures become a deterrent to Hispanics attempting to participate in housing development without the

resources available to the big developers. The following are specific examples of problem areas.

1. When the City seeks to create or rehabilitate housing it does so through requests for proposals (RFP). RFPs are requested at irregular intervals, making it extremely difficult for small businesspeople, contractors, and developers to participate. The irregular submission of RFP's only benefits contractors and developers who have close ties to city agencies. City agencies should have regular timetables for RFP submissions.
2. City-owned property is frequently put on hold by agencies for prolonged periods of time. HPD has explained that holds facilitate the financing of specific projects. However, holds on land use must not be permitted for indefinite periods of time because they prevent the beneficial use of land. Although HPD was unable to provide the Commission with information concerning the average length of its holds, the Commission has learned that properties have been held in Hispanic communities for as long as ten years.
3. The City's prolonged payment procedure is a disincentive for small Hispanic developers and contractors to participate in City housing projects. Given the thin cash-flow margin of many small construction businesses, it is virtually impossible for them to operate on delayed payments.

RECOMMENDATION

- * That in performing its duties to streamline the procedures related to housing construction and renovation, the Mayor's Office of Housing Coordination focus on facilitating the participation of small Hispanic businesses, contractors, and developers in the City's housing initiatives.

Utilize Hispanic Resources to Develop and Implement the Mayor's Ten Year Plan

HPD has underutilized the available professional resources within the Hispanic community to address the housing needs of Hispanic New Yorkers. It is critical that Hispanic real estate developers, bankers, and financial brokers be more fully utilized to create affordable housing. The development of the Ten Year Plan provides an excellent opportunity for the City to join together these resources.

RECOMMENDATIONS

- * That HPD, the City, and such private entities as the New York City Housing Partnership, include Hispanic developers, contractors, bankers, entrepreneurs and financial brokers into the implementation of the Ten Year Plan.
- * That HPD provide training to Hispanic developers, businesspeople and community-based organizations that wish to respond to requests for proposals.

Reform Housing Court Procedures as Part of the City's Homelessness Prevention Program

Housing court reform must be a major focus of the City's homelessness prevention program. At the Commission's public hearings, numerous speakers expressed concern that housing court was functioning more as a collection and eviction agency for landlords than as a court of law whose main task is to enforce the housing laws in an evenhanded manner. The overwhelming number of respondents in eviction proceedings are welfare recipients and the working poor, many of whom are Hispanic. According to a New York Times article entitled, "In City Housing Court Focus is More on Evictions Than on Rents," 90 percent of tenants who appear in Housing Court are unrepresented by counsel. With landlords represented by an attorney in as many as 90 percent of the cases, it is not a fair fight. Many tenants feel intimidated by landlords and their attorneys and sign stipulations giving up their apartments. Tenants represented by counsel have a greater chance of averting eviction or obtaining more time to move than those who appear unrepresented. With increasing property appreciation in Hispanic communities and consequent

displacement, the need for counsel to represent poor tenants is crucial to avoid homelessness.

Language services in housing court proceedings are also essential to the fair administration of this court. To safeguard the basic rights of tenants, more interpreters and Spanish-speaking personnel are needed in housing court. The Commission has been informed by Chief Administrative Judge Israel Rubin that a new eviction petition written in both nontechnical English and Spanish is expected to be issued in January 1987. In addition, in cases where tenants default, the court will automatically send the tenants a postcard in both English and Spanish informing them that a default judgment has been entered against them and that they have a right to request removal of the default.

RECOMMENDATIONS

- * That the City, using State and local funds, establish an expanded homelessness prevention legal representation project in Hispanic communities such as the Lower East Side, East Harlem, Williamsburg, Sunset Park, Jackson Heights and the South Bronx to carry out the following tasks:
 1. Represent all eligible individuals regardless of their citizenship status.
 2. Develop and implement criteria to identify those public assistance and low-income clients who are most likely to become homeless.
 3. Develop and implement plans to train marshals, court personnel, and appropriate HPD and HRA personnel on how to use the established criteria to make referrals to the project.
 4. Staff the project with Spanish speaking attorneys, paralegals and support staff.
- * That HPD and the Human Resource Administration work with the Office of Court Administration, Chief Administrative Judge Joseph Bellacosa and Judge Israel Rubin, Administrative Judge of the Civil Court of the City of New York, to develop administrative processes to maximize the effectiveness of legal representation of low-income Hispanics and to physically integrate HRA's emergency relief units into the housing courts of each borough.

- * That all stipulations between landlords and tenants in which the tenant agrees to give up their apartment, be explained before a judge to ascertain whether the parties actually understand and agree to the terms of the stipulation.
- * That sufficient interpreters be available to assist where necessary in all housing court proceedings, including the settlement process.
- * That bilingual Housing Court notices, including those informing tenants that a default judgment has been entered against them, be sent in all cases.

Investigate Housing Discrimination in Staten Island and Other Boroughs

At the Commission's public hearings, participants related numerous instances where bids on homes made by Hispanic families were rejected on the basis of their ethnic origin. In addition, participants related instances where realtors in Staten Island steered Hispanic buyers away from certain neighborhoods. The City must redouble its efforts to eliminate housing discrimination against Hispanic families.

RECOMMENDATIONS

- * That the New York City Commission on Human Rights initiate investigations concerning housing discrimination against Hispanic buyers and renters in Staten Island and other boroughs.
- * That the New York City Commission on Human Rights make special outreach efforts into the Hispanic community to inform them of their legal rights as prospective buyers or renters of real property.

CHAPTER 4

HISPANIC PUBLIC BENEFIT CORPORATION

Throughout this report the Commission has recommended ways in which the City can build on the strengths of its existing programs in the areas of economic development, employment, and housing. The Commission believes, however, that while producing benefits, these programmatic changes can only begin to address the core of the problems facing our communities. More extensive and lasting structural changes are needed in the governmental institutions that create and manage Hispanic economic development and housing programs -- changes which can maximize self-determination in the City's Hispanic communities and which can create political and economic momentum.

After careful review of the various alternatives, the Commission has determined that a Hispanic Public Benefit Corporation (HPBC) is the most efficient and expeditious mechanism for developing low and moderate-income housing and for building a strong economic base in the City's low-income Hispanic communities. An independent HPBC will move Hispanic community development beyond governmental "outreach" programs and a patchwork of Hispanic "initiatives." It is the only mechanism that can address the lack of meaningful control by Hispanics over economic and social decisions that affect their communities. Increasing Hispanic accountability for Hispanic communities will enhance the quality of Hispanic leadership and encourage the growth of stable Hispanic community-based organizations and the growth of the Hispanic business community.

There are those who have argued that the creation of a HPBC is unnecessary because the needed organizational vehicles already exist under state law. These vehicles include the 78 Local Development Corporations (LDCs) which already have contracts with the City for commercial revitalization, and the many Community Development Corporations that are involved in specific housing development efforts. With so many existing groups and organizational vehicles, it is argued, why is an HPBC needed? It is the existence of so much community-based initiatives that might

otherwise flounder that really underscores the need for an HPBC. What is needed is an organization that would offer technical and financial backing to encourage and expand upon the current efforts of the City's economic development agencies through developing an opportunity for Hispanic entrepreneurship in both the public and private domain. The special powers of a HPBC would make this possible.

The Commission also realizes that the creation of a public benefit corporation is controversial because it entails bypassing local land-use laws intended to provide public input or creating a tax exempt status for private capital that would otherwise generate revenue. The creation of the HPBC will be especially difficult given the heightened attention on process and review at the city level. Both PDC and HPD have explored the feasibility of developing public benefit corporations, but for various reasons this option has not been pursued. The Commission has weighed these arguments and concludes that the creation of a HPBC to initiate housing and economic development projects will give the City's Hispanic communities the means to take a more active role in their future development.

Advocate the Creation of a Hispanic Public Benefit Corporation to Initiate, Finance and Develop Low and Moderate-Income Housing and to Organize Significant Economic Development Projects in the City's Hispanic Community

A public benefit corporation is a legal entity created by the State legislature to carry out specific public functions. Establishing an HPBC would create an alternative legal framework to enable public programs, such as low-income housing development and economic development projects, to proceed expeditiously by exempting them from specific legal restrictions. In establishing a public benefit corporation, the State legislature can grant those powers necessary for the entity to fulfill its mandate. The New York State Urban Development Corporation (UDC) illustrates the far-reaching powers that the legislature can vest in a public benefit corporation to expedite economic development and housing projects. For example:

1. UDC may condemn property pursuant to the Eminent Domain Procedure Law. This enables UDC to cut through local procedures and avoid the oftentimes lengthy requirements of the Uniform Land Use Review Procedure.
2. The UDC is able to enter into agreements with municipalities to perform a variety of services in connection with economic development or housing, such as surveys, architectural drawings, feasibility studies, and the issuance of tax exempt bonds. Such power enables the UDC to save time through the use of a blanket contract for services rather than, in the case of New York City, going to the Board of Estimate on each contract.
3. UDC is exempt from Civil Service Law requirements. This enables it to hire personnel on a basis that is more competitive with private industry.
4. UDC may waive local building codes and zoning requirements if compliance is not feasible. It may even issue certificates of occupancy for its own projects.

In the report, On Its Own: New York City Approaches Affordable Housing, the Citizen's Housing and Planning Council (CHPC) recommended that a housing public benefit corporation be developed to finance and develop low and moderate-income housing. CHPC concluded that because HPD manages approximately 60 different housing programs, it is virtually impossible for the agency to provide the specialized focus needed to initiate affordable housing projects. An independent housing public benefit corporation would be a "tenacious and focused housing entity" that would be far more effective than a city agency in streamlining processing requirements, eliminating delays, and attracting private sector support for affordable housing projects. The achievements of other single-purpose entities suggest that a focused approach to development activity works well in New York City. The same would hold true for a public benefit corporation focused on housing and economic development in Hispanic communities.

The Commission believes that there is a compelling need for legislation creating a HPBC. The HPBC's functions would include: rehabilitating in rem housing units in Hispanic communities; providing financial packaging to Hispanic investors, entrepreneurs, contractors, and developers; making the City's development bureaucracy and approval process accessible to Hispanics; initiating tenant cooperative conversions in in rem buildings; developing and administering appropriate education programs; and providing technical assistance when necessary. In short, HPBC would assure that there were capable and effective sponsors and participants to deliver development resources to the Hispanic community. Although the socioeconomic data presented throughout this report overwhelmingly support the importance of establishing a HPBC, the following points suggest other unique needs of the Hispanic community that warrant the proposed development entity:

1. The Hispanic community has been unable to build and maintain a significant base of political and economic strength in New York City. Ethnic and racial minority groups have typically organized and secured city-wide support for housing and economic development activities by building up an organizational base in communities where a group enjoys political strength. The Chinatown Planning Council, the Bedford Stuyvesant Restoration Corporation, the Harlem Urban Development Corporation, and the Astoria-based Hellenic American Neighborhood Action Council are examples of political and economic organization. In contrast, Hispanic communities such as the Lower East Side, East Harlem, Sunset Park, and Jackson Heights, are "in transition" because of speculation and appreciation in real estate. Other communities, such as the South Bronx, Bushwick, and East New York, are "in transition" because of the "development opportunities" generated by abandonment and urban blight. Consequently, many of the community-based, Hispanic-led organizations that in the 1960s and 1970s served to sponsor housing and other government programs, no longer have the base needed to mature into effective vehicles for private-sector participation and development.

2. The lack of middle-class housing alternatives in most Hispanic neighborhoods, as well as the absence of home ownership opportunities, has drained Hispanic communities of much talent and money. Various communities and Hispanic leaders are having limited success obtaining assistance to finance and develop vacant land and buildings for private homes and middle-income cooperatives in what are known to be low-income communities. There is a need to move these projects forward by assuring that they are given funding priority and expeditious processing.
3. Given its size and relative needs, the City's Hispanic population is underrepresented as participants and sponsors in city-assisted housing and economic development activities. This situation is unacceptable since there are many programs that are particularly appropriate to Hispanic talents and needs. For example, HPD has developed sweat equity programs by which small, vacant, City-owned buildings can be conveyed at a nominal price to individuals or groups who agree to renovate and occupy them for residence or business. The Hispanic community has numerous artisans and tradespeople who are both experienced and willing to undertake such self-help projects. What they need is bilingual assistance with legal and bureaucratic paperwork, as well as assistance in obtaining adequate financing. All of these problems could be handled by a central development entity.
4. There are more than 11,000 Hispanic households living in buildings that are owned and managed by the City. Among these tenants are Hispanics who can be trained and assisted in assuming management and ownership of properties that currently are a tremendous burden to the City. Investment in the entrepreneurial aptitude of Hispanics can generate large returns for the City, particularly in the area of ownership and management of rental housing.

5. In July 1986, the State legislature authorized the creation of economic development zones in low-income areas. These zones will provide tax and other incentives to encourage job-generating investment and redevelopment. The benefits which Hispanics should realize from this new initiative are unlikely to materialize unless special outreach, technical assistance, and financial packaging targeted at the Hispanic population are put in place. Without such an effort, development zones are unlikely to do more than make blighted areas more attractive for investment by nonminorities.
6. The resources of the Hispanic business and professional community have been directed primarily into some educational, health and athletic, and cultural programs. Little has been done to tap these resources to relieve the primary problems of the City's Hispanic population in the areas of housing, economic development, and the physical reconstruction of its communities. The urgent and growing economic and housing needs among long-time residents and new Hispanic immigrants demand the creation of a vehicle through which the resources of the community can be assembled, mobilized, and directed to tackle these problems in partnership with local government.

The creation of a public benefit corporation has several practical advantages. First, if it is vested with the appropriate powers, it can overcome some of the local review procedures which have resulted in the delay of so many housing and economic development projects. Second, legislation can be enacted which would provide the public benefit corporation with the authority to offer tax-deductible financing to investors. Third, a public benefit corporation, unlike existing governmental agencies, can focus on a particular mission. Experience has shown that single-purpose entities, such as the Battery Park City Authority and the New York Community Preservation Corporation, offer a focused approach to development activity which works well in New York City.

RECOMMENDATIONS

- * That the City introduce and vigorously support legislation creating a Hispanic Public Benefit Corporation in New York City for the purpose of initiating, financing, and developing low and moderate-income housing and economic development projects in economically depressed Hispanic communities. That the Hispanic Public Benefit Corporation be authorized to:

1. Condemn property pursuant to the Eminent Domain Procedure Law.
2. Waive local building codes and zoning requirements if compliance is not feasible.
3. Offer tax-deductible financing to investors.
4. Assemble and sell publicly owned sites and buildings through the RFP process or on a negotiated basis.
5. Act as project manager in obtaining appropriate zoning actions to make sites more viable for development.
6. Contract directly for infrastructure and other public improvements.
7. Assist developers in obtaining as-of-right property-tax abatements and exemptions, as well as to negotiate non-as-of-right abatements.
8. Coordinate community and public approvals. The Hispanic Public Benefit Corporation staff would attend all public meetings, make presentations, and assist developers in conforming to any conditions of approval.
9. Assemble financing for projects. The Hispanic Public Benefit Corporation would identify the public and private funds necessary to make projects economically viable for targeted income groups. It would identify sources, secure funding commitments subject to predetermined criteria, reconcile the requirements of funders, promulgate underwriting requirements, and assemble complete loan documentation.
10. Work with city agencies to establish processing schedules, identify and resolve vague or conflicting policies, and follow up on individual projects to address any problems that may arise.

11. Hire personnel in a manner which is exempt from the Civil Service Law requirements.

12. Carry out any other functions necessary to expedite housing and economic development projects.

CHAPTER 5

PRIVATE SECTOR EMPLOYMENT

One of the key indicators of the success of a city's economic development efforts is its unemployment rate and the extent to which its business sector is creating new jobs. When judged by this measure, the City has done particularly well over the last several years. Since 1977, over 300,000 jobs have been added to New York City's economy, representing the largest eight-year job increase on record. The addition of these jobs has generated employment opportunities across diverse skill levels and population groups. Most importantly, this job increase has benefitted New York City residents as much as the growing commuter population: the number of employed City residents averaged 2,996,000 in FY 1986 compared to 2,757,000 in FY 1978, an eight-year gain of 239,000 jobs or 8.7 percent. A major part of this gain occurred in the past year: resident employment increased by 132,000 jobs, or 4.6 percent, from FY 1985 to FY 1986.

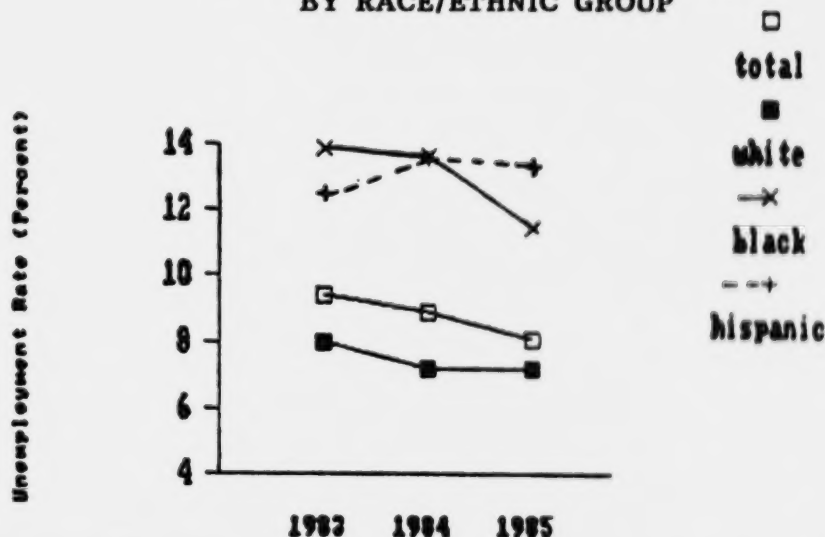
Minority residents have become an increasingly important part of the labor force over the last two decades, reflecting both the changing characteristics of New York City's population and efforts to open opportunities to minority workers. In calendar year 1985, minority resident employment was 925,000 as compared to 696,000 in calendar year 1977, an eight-year increase of 229,000 persons or 32.9 percent. This employment growth figure is startling when compared to New York City's overall resident employment increase of 8 percent between 1977 and 1985. Hispanics have shared in this growth in new jobs to a more limited extent. From 1977 to 1984, the number of Hispanic employees in New York City increased by 81,000 jobs, a 21 percent increase. Despite some gains, however, there is a high level of Hispanic unemployment.

In 1983, 12.5 percent of the Hispanic population was unemployed. The figure rose to 13.6 percent in 1984 and dropped slightly to 13.4 percent in 1985. This record of continued high levels of Hispanic unemployment is not reflective of a national trend. Nationally, Hispanic

unemployment figures are comparatively lower: 13.7 percent in 1983, 10.4 percent in 1984, and 10.5 percent in 1985. Unemployment rates have dropped in New York City as a whole from over 11 percent in 1976 to 8 percent in 1985. For 1985, the City's Black unemployment rate was 11.5 percent (down from the 1984 rate of 13.7 percent and 13.9 percent for 1983), as compared to the U.S. Black unemployment rate of 15.1 percent (see Figure 1).

FIGURE 1

NEW YORK CITY UNEMPLOYMENT RATES
BY RACE/ETHNIC GROUP



This continuing high level of Hispanic unemployment is consistent with the gradually rising poverty rate for Hispanics in the Northeast: from 38.7 percent in 1984 to 39.2 percent in 1985. It is apparent that the City's Hispanic population has not shared in the City's overall increase in employment to the same extent as other ethnic and racial groups.

Why has the City's Hispanic unemployment rate increased despite the addition of over 300,000 jobs City-wide during the last eight years? One important reason is that job growth is not matching the employment needs of the City's rapidly growing Hispanic population. New York City's Hispanic population over the age of 16 has increased from approximately 8.5 percent of the total population in 1960 to 17.4 percent in 1980. But

the City's job growth is primarily in the service and financial sectors -- areas which require a high level of education. Industries which traditionally have employed Hispanics are either declining or show less substantial growth (see Table 1).

TABLE 1
NEW YORK CITY EMPLOYMENT: 1984 - 1995¹
(in thousands)

<u>Industry</u>	<u>1984</u>	<u>1995</u>	<u>Total Net Change</u>
Services	1,006	1,234	228
FIRE*	501	558	57
Government	535	559	24
Construction	94	117	23
Trade	627	638	11
TCPU**	287	213	-24
Manufacturing	<u>432</u>	<u>344</u>	<u>-88</u>
Total	3,482	3,663	231

* Finance Insurance and Real Estate

** Transportation, Communications, and Public Utilities

Since the 1960s, many Hispanics have been employed in the City's declining manufacturing industries. In 1960, over 50 percent of the employed Puerto Rican community was engaged in the manufacture of durable and nondurable goods. As late as 1980, 27.3 percent of all the City's employed Puerto Ricans and 30.1 percent of all employed Hispanics were working in the manufacturing sector, as compared to 15 percent of employed Blacks and 13 percent of employed Whites.

The City has faced a significant decline in manufacturing employment. The New York State Department of Labor estimates that from 1950 to 1970,

¹From Port Authority of New York and New Jersey, A Forecast of Employment and Population in the NY - NJ Metropolitan Region to 1995, April 1986.

the City experienced a loss of 274,000 jobs in the manufacturing sector, from 1970 to 1977, a loss of 226,000 jobs, and from 1977 to 1985, a loss of 131,000 jobs -- a decrease of 24.4 percent. The effect has been to create a displaced labor force of Hispanics. Between 1960 and 1980, for example, Puerto Ricans² working in manufacturing suffered a net loss of 46,202 jobs. The continuing heavy reliance of Hispanics on manufacturing employment makes them especially vulnerable to job losses. The displaced labor force of Hispanics presents the City with a major challenge in job training, retraining, and job placement if this population is ever to significantly join the ranks of the employed in today's predominantly service economy.

In addition to the contraction of the labor markets where Hispanics have been employed, there are a number of other possible explanations for Hispanic unemployment. These explanations include: job discrimination, concentration of Hispanics in the secondary labor market, the effect of limited English-speaking ability on job opportunities, the lack of child care and other support services for unemployed single mothers, and the failure of job placement and training programs to reach Hispanics.

The Commission believes that New York City can reverse the ever-worsening unemployment trend for the Hispanic population through increasing the efforts and resources of the City's Department of Employment, the Office of Economic Development and the Bureau of Labor Services.

It is clear that the discrepancy between overall employment growth in New York City and the continuing high unemployment rate for minorities, especially Hispanics, at least partially results from a lack of sufficient training. Commuter penetration of the labor market, as well as direct

²The 1960 and 1970 United States Census collected data regarding Hispanics only if they were identified as Puerto Rican. Other Hispanics were included within the counts for Blacks and Whites. This changes in 1980 when, for the first time, Hispanics were counted as a separate group.

surveys of City employers, both point to a continuing demand for trained labor in the City. Yet, the lack of work experience, literacy skills, and high school completion prevent some residents from competing effectively for jobs.

The City's governmental and private sector economic development leadership have increasingly realized that future growth will be limited unless the skills of City residents can match the increasing demands of this growing economy. Additional focus on training and placement is essential in order to: 1) ensure that residents rather than commuters obtain the new jobs, 2) maximize the opportunity for low-income, unemployed residents to participate in the City's economic prosperity, and 3) provide the skilled work force necessary to continue attracting and retaining industrial and commercial firms.

The unemployment problems of the Hispanic community are underscored by the prospects for Hispanic youth employment. In tandem with growth in jobs traditionally filled by youth is a projected drop in the overall youth population of New York City over the next decades (a drop of 250,000 persons in the age category 15 to 24 by the year 2000). As a result of the population decline, by 1990 Hispanic youth will be a large proportion of the youth population - 28 percent up from 17 percent in 1970). But, in spite of this surplus of jobs for youth, there will still be Hispanic youth unemployment because so many Hispanic youth will not have essential skills. More and more jobs require a trained and educated work force. Only 9 percent of the new jobs being created in New York City do not require a high school diploma. Yet, Hispanic youth have a high dropout rate, estimated to be between 62 percent and 80 percent.

To meet this challenge, the City, State and federal governments, as well as the private sector, have initiated an impressive array of vocational and educational training programs, most of which have been managed by the City's Department of Employment (DOE). About 1.5 million people are eligible for these programs. In fiscal year 1985, DOE had a budget of \$100 million with which it served 98,651 participants. For fiscal year 1986,

DOE's budget was \$115 million and it served approximately 113,000 participants.

The great bulk of DOE's funds are allocated by the federal government under the Job Training Partnership Act (JTPA). The federal government distributes the funds to the states, which in turn distribute them to localities or, as they are called, Service Delivery Areas (SDA). At every level the funds are allocated by a formula based on size and need. New York City's JTPA budget of over \$100 million is by far the largest SDA in the country. In addition to JTPA funds, the Department of Employment's City Works program is supported through City tax levy money and Municipal Assistance Corporation (MAC) funds. The DOE also receives small grants from the U.S. Department of Health and Human Services and New York State's Departments of Social Services and Education.

With these funds, the City administers employment and training programs in each of the boroughs. DOE's programs are operated by a network of about 100 contractors located throughout the City. The overwhelming majority of the contractors are community-based organizations, but there are also for-profit companies, City educational institutions, and proprietary schools acting as contractors.

The core of DOE's effort is the Block Grant, which represents 59 percent of its funds and 45 percent of its participants. The Block Grant refers to the basic training and direct job-placement programs for adults and youth. While most of the Block Grant is administered by DOE, 13 percent is administered directly by the Private Industry Council, which develops customized training programs for particular private-sector firms. The other sizable portion of DOE's budget is the Summer Youth Employment Program, which provides work experience for seven weeks in the summer for youth aged 14 to 21. Other grants include specially funded programs for target populations, such as veterans, older workers, welfare recipients, and refugees. Finally, City Works is the work-experience and job-placement program for disadvantaged youth who do not meet the entry criteria for DOE's training programs. City Works

focuses on bringing youth (aged 16 to 24) into a variety of trades and providing remedial educational programs.

Probably the most significant fact about the above programs and statistics is that DOE, in its full-time, year-round programs, only serves about 3 percent of the eligible population. Despite the fact that its resources are limited in comparison to the need, the agency has attempted to maximize them to the greatest extent. Under the administration of Commissioner Manuel Bustelo, the head of DOE, the agency ensures that every segment of the eligible population is equitably represented in the programs.

When Commissioner Bustelo began his tenure in May 1985, Hispanics were underserved, particularly in training programs where they comprised only 27 percent of total enrollees. The problem was exacerbated during FY 1985, when the percentage of Hispanics among the eligible unemployed rose from 32 percent to 37 percent. In response to this increased need, DOE allocated \$1 million (from incentive funds provided by the State because of DOE's overall excellent performance), to create training programs specifically directed at unemployed Hispanics. In addition, during the current program year, DOE intends to increase the Hispanic enrollment in its core programs by 10 percent.

In addition to DOE's current programs, there are other programs which the City could undertake that would build on the progress in reducing Hispanic unemployment made by Commissioner Bustelo.

Corporations Doing Business with the City Should Develop Training Programs for the Unemployed

The City, through the Office of Economic Development and DOE, must systematize its now sporadic efforts at expanding the opportunities for the Hispanic unemployed to receive training and possible placement with companies which are either directly or indirectly receiving City funds for economic development. As discussed in the chapter on economic development, the City has numerous programs by which it provides funds

to businesses or subsidizes different business ventures through various tax incentive programs. In some cases, this has led to innovative training programs for the unemployed.

In addition, City agencies on their own initiative have developed joint training programs with businesses which could be expanded. For example, the Marriott Corporation, after receiving substantial incentives from the City to locate a hotel in the Times Square area, agreed to accept 350 dislocated workers (person retrenched from industries where there are few new job openings) for on-the-job training in hotel and service industries. American Express has also entered into an agreement with the Department of Employment for training programs in customer service skills. The Commission feels, however, that the City should require such training opportunities from those receiving direct or indirect subsidies for economic development. Indeed, economic development which does not have the effect of decreasing the number of unemployed is development which misses the target.

The model that we believe should be followed in devising such training opportunities is currently utilized in Executive Order No. 50. Mayoral E.O. 50 requires the hiring of a "trainee" for every four journey-level employees hired in a City-funded construction project. What the Commission is suggesting is that the City devise a similar formula for job development in the services and goods industry. For example, for every \$1,000,000 of direct or indirect subsidies from the City, a corporation should provide training for 100 unemployed individuals. Obviously, the development of such a requirement is more complicated for the service areas than construction given the diversity of the businesses involved. The Commission feels, however, that economic development must extend to as many residents as possible. The Commission recommends that the Mayor create a working group of governmental, labor, business, and Hispanic community representatives to advise him on how such a program should be set up.

RECOMMENDATION

- * That all companies receiving City subsidies or tax benefits for economic development projects be required to provide training for the unemployed. The Commission proposes that the Mayor prepare an executive order that would require that a specific number of training opportunities be provided for a particular amount of subsidies received. If necessary, legislation should be introduced to establish the program.

Provide Job Specific English Language Training Programs to the Unemployed Limited English Speaking Population

Although some programs funded under JPTA provide some English language instruction for those who cannot get into training programs, DOE could do much more to reach the limited English-speaking ability population (LESA). To enroll in one of DOE's training programs, the unemployed person must demonstrate that he or she has the equivalent of a seventh grade education. This examination is given in English and by definition excludes many LESA applicants. The decision to exclude these unemployed person reflects a reasonable desire on the part of the DOE to maximize their limited funds to place as many people as possible in jobs. Those with a seventh grade education and who can speak English have proven to be more easily placed in jobs following a training course.

DOE could, however, reach out to the unemployed LESA population. In the education chapter of this report, the Commission has made recommendations to meet the need for more English language classes. In addition to these general classes, more job-specific English language training programs are needed. One example of such a program, known as Basic Occupational Language Training (BOLT), has already proven successful in several cities. BOLT teaches English skills specific to a trainee's occupation and is often more effective than traditional English classes. If programs such as BOLT were expanded they would reach a population which now has little chance of and, in many cases, little incentive for entering the job market.

RECOMMENDATION

- * That job-related English classes such as the Basic Occupational Language Training program be expanded to give LESA workers a better opportunity to enter the job market.

Expand the Number of Youth Participating in the City Works Program by Using Program Funds Used for Purchasing Materials to Create Additional Training Opportunities

The Commission feels that the City Works program, an innovative and exciting program for introducing young people with low math and reading scores, to a variety of trades, must be significantly expanded. One means of doing so is to redirect the way money is spent under the current program. Of the over 6,000 young persons involved in City Works, about 350 are trained in the construction trades. These trainees are actually involved in building projects for the City with materials paid for out of the City Works budget. Of the \$3.5 million City Works housing component budget, \$1.6 million is applied to construction costs, including the costs of materials. If, however, the money for the construction work could be funded separately or if the material could be donated by private construction companies, much more of the budget could be used for additional trainee positions.

RECOMMENDATION

- * That City Works funds currently used for purchasing building materials be redirected to create additional training opportunities for young persons.

Urge that the Commissioner of the State Department of Labor Permit Trainees Under Mayoral Executive Order No. 50 to be Paid at Apprenticeship Wages in Order That More Minorities may Gain Journey-Level Status in Construction Unions

The Bureau of Labor Services (BLS) is the New York City agency charged with enforcing Executive Order No. 50 (E.O. 50), promulgated by Mayor Koch to ensure that construction companies doing business with the City of New York provide equal opportunity to all employees and applicants for employment. E.O. 50 contains a training requirement which mandates

that construction contractors with contracts for more than \$125,000 hire one economically disadvantaged person as a trainee for every four journey-level workers in each trade.

A trainee program is a parallel program to the union-run apprenticeship program in the construction industry. Its purpose is to open up opportunities in the construction trades to minorities, women, and others who have been previously excluded. Both the State and the City have recognized race discrimination in the construction industry as a long-standing problem which has proven extremely difficult to remedy. The U.S. Supreme Court has agreed, saying "[j]udicial findings of exclusion from crafts on racial grounds are so numerous as to make such exclusion a proper subject for judicial notice". United Steelworkers of America v. Weber, 443 U.S. 193, 198 n. 1 (1979). Because of union resistance to judicial remedies which were designed to eradicate discriminatory practices, the City embarked upon a course of affirmative action. Executive Order No. 50 requires contractors to provide on-the-job training opportunities for minorities and other disadvantaged individuals which would help them to gain admission to apprenticeship programs. Under E.O. 50, BLS' Construction Division's Field Investigators perform periodic on-site investigations to ensure that trainees are in fact working and are provided with sufficient training.

While the training programs have not been entirely successful, more than 750 trainees have become journey-level craft workers through the City's training program. It is estimated that over 95 percent of all trainees are minorities or women. There are various steps, however, which the Commission feels must be taken both to maintain the current level of effectiveness of the training program and to expand its applicability.³

³BLS was unable to provide the Commission with figures as to how many Hispanics were in fact participating in the program. The Commission is aware, however, of the possibility that the program enrollees are predominantly Black, and that Hispanics do not share in the program's
(Footnote Continued)

Administrative actions by the State Department of Labor which threaten the very existence of the trainee program must be reversed. The Department recently brought actions against contractors employing trainees on State construction sites as a violation of State Labor Law Section 220. The claim of Commissioner Lillian Roberts, the head of the State Department of Labor, was that the trainees were not enrolled in an authorized apprenticeship program registered with the State and, therefore, had to be paid journey-level wages rather than apprentice-level wages.

The effect of Commissioner Roberts' order is obvious. Even though her orders govern only State jobs, they impact on the City's trainee program. At the time the Commissioner took her action, there were approximately 119 Executive Order 50 trainees on State sites. Unless the Commissioner's orders are reversed, the trainees, who are learning their crafts and working under supervision, will have to be paid the full journey-level wages of their supervisors. The contractors' incentive for hiring these trainees will vanish and trainees will be subjected to long periods of unemployment, waiting for jobs where employers will be able to pay them apprenticeship-level wages.

Without delving into the possible political motivation for the Labor Commissioner's sudden reversal of the Labor Department's long-standing practice to permit trainees working on State projects to be paid apprentice-level wages, the Commission asks the Mayor to personally urge Governor Cuomo to reverse the action of his Commissioner. If the Governor believes, as he states publicly, in providing training opportunities for minorities and women, he should take a stronger position with his Commissioner.

(Footnote Continued)

benefit. BLS should investigate this finding and report its results to the Commission.

RECOMMENDATION

- * That the Mayor urge the Governor and State and City legislators to allow trainees to be paid trainee-level wages on State construction sites.

Coordinate Trainee Programs and Trainee Support for Those Trainees at City Construction Sites Under Executive Order No. 50 to Increase the Numbers Receiving Journey-level Status

The E.O. 50's trainee program has made significant strides in getting the disadvantaged into construction craft unions, but the program could be made much more effective if trainees were provided with proper support services. Thousands of trainees have participated in the program but only 750 have received journey-level status. In part, this is due to a lack of coordination in how the trainees are counseled. There is little continuity in the various crafts to which trainees are assigned from construction site to construction site which makes it difficult if not impossible to accumulate the necessary hours to gain journey-level status. There are other deficiencies in the training program as well: training providers are not reviewed to make sure that trainees are receiving the required classroom hours, the progress of individual trainees is not tracked and no agency or organization has assumed responsibility for certifying trainees as "economically disadvantaged," as required by E.O. 50. Finally, there has been virtually no dialogue established between the BLS, the training schools established with the unions, and the various associations to ensure that basic training is provided.

The Commission considers it imperative that BLS establish a unit to deal more effectively with the training program from a programmatic point of view. If a unit is established at BLS to work with trainees, training programs and contractors, the already considerable benefits of the program would undoubtedly be enhanced.

RECOMMENDATION

- * That the BLS establish a Trainee Support Unit to coordinate trainee programs and provide support to trainees on construction sites under E.O. 50.

CHAPTER 6

EMPLOYMENT IN NEW YORK CITY GOVERNMENT

An important test of how well City agencies are serving the Hispanic community is their record on the hiring and promotion of Hispanics in positions within City government. As a matter of basic fairness, this record demonstrates whether City agencies are treating Hispanics as they treat Whites, Blacks, and other groups. As a matter of the effectiveness of local government, the presence of Hispanic employees often has a significant effect on the sensitivity of City policies and practices. The record of City agencies on the hiring of Hispanics also affects the perception of the Hispanic community on how accessible City government is to their needs and the extent to which they feel that it is also "their" government.

What is the record of City agencies in hiring Hispanics? Has an administration which has garnered well over 70 percent of the Hispanic vote in the last two mayoral elections been an equal opportunity employer with respect to Hispanics? The answers to these questions are complex and need to be examined carefully; it is the kind of area where statistics can be easily generated to demonstrate any proposition and, therefore, great care must be taken in the presentation of data.

While the number of Hispanics in the City work force has increased from 5,618 (5.02%) to 11,768 (9.04%) under the current administration, the record at most agencies still shows a serious underrepresentation of Hispanics at almost every level and an insufficient commitment to an effective equal employment opportunity program for Hispanics. This situation exists despite a series of memos and directives in which the Mayor and other City Hall officials have highlighted the importance of hiring more Hispanics. (See Appendix 1) Even with these continual exhortations from City Hall, Hispanics remain very much on the margin of City employment.

The City's General Record in Hiring Hispanics

All City Agencies¹

Of the 130,225 full-time employees in the City government work force, 11,768 (9.04%) are Hispanic. Of the 142,250 full and part-time employees, 13,371 (9.4%) are Hispanic. When analyzed by the Equal Employment Opportunity occupational classifications, Hispanics are not equally distributed among the different categories of City workers. As Table 1 illustrates, Hispanics have a higher representation among paraprofessionals (primarily human services workers). There is a low representation in the categories of professionals and officials and administrators.²

¹In conducting an analysis of the City's employment record, the Commission used the City's EEO-4 Report for June 30, 1985 (prepared by the City's Department of Personnel for submission to the United States Equal Employment Opportunity Commission); data collected by the Office of Management and Budget, June 30, 1985; data from a mayoral EEO task force; and other data compilations prepared at the Commission's request by the Mayor's Office or the Department of Personnel. The EEO data covers 38 mayoral and 24 non-mayoral City agencies under the jurisdiction of the Mayor and/or subject to the Department of Personnel. It does not include the Health and Hospitals Corporation, the Board of Education, and other legally independent public entities.

²It should be noted that in many cases, the EEO-4 Report is not an accurate measure of job functions in many instances. There are several titles classified in categories which bear little relationship to the function apparently being described in that category.

TABLE 1
NEW YORK CITY FULL-TIME WORK FORCE BY CATEGORIES
June 30, 1985

	<u>TOTAL</u>	<u>HISPANIC</u>	
		<u>#</u>	<u>%</u>
Officials and Administrators	11,534	514	4.46
Professionals	18,624	1,255	6.74
Technicians	10,625	689	6.48
Protective Services	40,674	3,794	9.33
Para-Professionals	4,589	860	18.74
Office/Clerical	22,398	2,868	12.80
Skilled Craft Workers	5,378	327	6.10
Service Maintenance	16,403	1,551	9.45
Total	130,225	11,858	9.26

In comparison, at the 1980 Census, 19.9 percent of the New York City population and 16.4 percent of the City's civilian work force were Hispanic³ (see Figure 1). Thus, there is a significant underutilization of Hispanics in City agencies when compared to New York City's Hispanic civilian work force. The proportion of Hispanics in City government is in sharp contrast to the City's record on hiring Whites and Blacks. Whites constitute 57.4 percent of the civilian work force and 57.7 percent of City employees. Blacks make up 21.9 percent of the civilian work force and 31.7 percent of City employees.⁴ Only Asians present a wider disparity

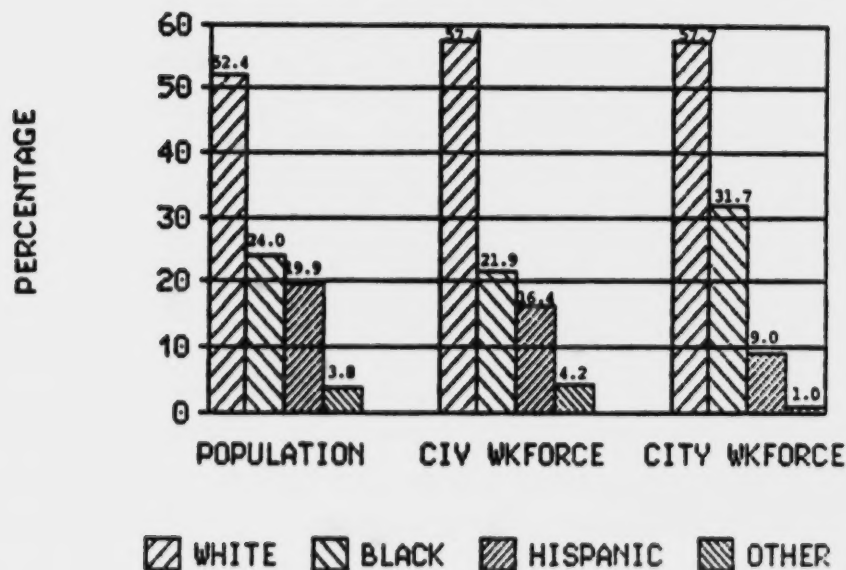
³"Civilian work force" is defined by the Census to include all employed workers (excluding the armed forces) and the unemployed actively seeking work. It should be kept in mind that the accuracy of the 1980 Census was strongly attacked by the City in a still pending lawsuit Cuomo v. Baldrige. The City of New York has taken the position that the non-Black Hispanic undercount in the 1980 Census was 12.38 percent, compared to an overall undercount of 1.56 percent -- representing a differential of 10.8 percent.

⁴This section of the report sets forth general statistics illustrating that Blacks seem to be proportionately overrepresented in the City's work force. The purpose of this comparison is not to criticize the employment record of Blacks, but to indicate that effective minority hiring is well within reach.

than Hispanics comprising, 4.2 percent of the civilian work force but only 1.0 percent of City employees.

FIGURE 1

**COMPARISON OF NEW YORK CITY POPULATION AND CIVILIAN WORK FORCE^a
WITH CITY WORK FORCE^b**



Notes: ^a 1980 Census
^b June 30, 1985
^c Includes Asian and Native American

The 9.26 percent representation of Hispanics in 1985, however, represents a 79.8 percent increase from the 5.02 percent representation of Hispanics in 1977, the year immediately preceding the present administration (see Table 2).

TABLE 2
COMPARATIVE BREAKDOWN OF CITY FULL-TIME WORK FORCE
1977 and 1985

	<u>1977</u>		<u>1985</u>	
	TOTAL	HISPANIC # %	TOTAL	HISPANIC # %
Official and Administrators	3,869	73 (1.9)	11,534	514 (4.5)
Professionals	17,689	751 (4.2)	18,624	1,255 (6.7)
Technicians	8,473	267 (3.2)	10,625	689 (6.5)
Protective Services	33,333	1,123 (3.4)	40,674	3,794 (9.3)
Para-Professionals	2,737	541 (19.8)	4,589	860 (18.7)
Office/Clerical	25,110	1,792 (7.1)	22,398	2,868 (12.8)
Skilled Craft Workers	2,773	71 (2.6)	5,378	327 (6.1)
Service Maintenance	17,817	1,000 (5.6)	16,403	1,551 (9.5)
Total	111,801	5,618 (5.02)	130,225	11,858 (9.1)

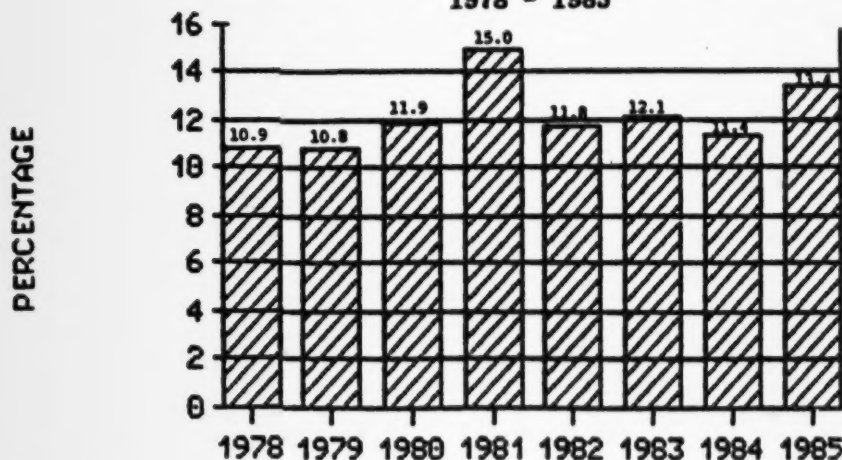
New Hires

Another important statistic is the City agencies' record on hiring new full-time Hispanic employees. The rate at which Hispanics are being integrated into the City work force may provide some basis for measuring the success of the City's equal employment opportunity programs for Hispanics.

In fiscal year 1985, Hispanic new hires represented 13.4 percent (2,236 out of 16,683) of all full-time appointments. The figures for Hispanic new hires have ranged from a low in 1979 of 10.8 percent to a high of 15.0 percent in 1981. While there have been fluctuations, the yearly trend since 1978 has generally been an increasing percentage of Hispanic new hires (see Figure 2).

FIGURE 2

**HISPANIC REPRESENTATION^a IN NEW HIRES
1978 - 1985**



Note: ^a As percentage of total new hires

These figures on new hires need to be analyzed in terms of the civil service system and salary levels in order to target any appropriate recommendations. For example, the Mayor's Office of Personnel provided the Commission with data concerning the 23,492 competitive⁵ civil service and provisional hires for mayoral agencies only (excluding the uniformed services) from May 1983 to July 1986. These data show that the City hired 7,123 new competitive employees from civil service lists of whom 722 (10.1%) were Hispanic. Of the 16,369 persons hired as provisional employees, 2,015 (12.3%) were Hispanic. Of the 2,737 Hispanics hired as either civil service or provisional employees during this same period, 2,151

⁵The vast number of City positions are competitive, which means that they are filled based upon the results of a civil service examination administered by the Department of Personnel. Individuals are placed upon a civil service list after the examination based upon their score with the higher scores being given first consideration for the job. If there is no list outstanding for a particular civil service title, then the agency may hire an individual as a provisional. This is a discretionary hiring decision made by the agency subject to approval by the Mayor's Office of Personnel. A provisional could lose his or her position should a civil service examination be given and a list established.

(78.6%) started in positions earning less than \$20,000 and 586 (21.4%) in titles earning over \$20,000 (see Table 3).

TABLE 3
NEW HIRES
MAYORAL AGENCIES^a MAY 1983 - JULY 1986

	WHITE		BLACK		HISPANIC		OTHER		TOTAL
	Male	Female	Male	Female	Male	Female	Male	Female	
	#	#	#	#	#	#	#	#	#
	%	%	%	%	%	%	%	%	%
<u>I Civil Service List</u>									
Over	1090	81	230	57	85	12	125	13	1693
\$20,000	64.4	4.8	13.6	3.4	5.0	0.7	7.4	0.8	100.0
Under	992	560	1340	1712	403	222	154	47	5430
\$20,000	18.3	10.3	24.7	31.5	7.9	4.1	2.8	0.9	100.0
<u>II Provisional</u>									
Over	2997	1228	796	608	330	159	211	70	6399
\$20,000	46.8	19.2	12.4	9.5	5.2	2.5	3.3	1.1	100.0
Under	2145	1484	2039	2522	772	754	141	113	9970
\$20,000	21.5	14.9	20.5	25.3	7.7	7.6	1.4	1.1	100.0
<u>TOTAL (I + II)</u>									
	7724	3353	4405	4899	1590	1147	631	243	23992
	32.2	14.0	18.4	20.4	6.6	4.8	2.6	1.0	100.0

Notes: ^a not including uniformed services

By Agency

City agencies have had varying degrees of success in hiring Hispanics. For example, the Human Resources Administration has a 19.36 percent representation of Hispanics,⁶ while only 2.45 percent of the Fire Department's work force is Hispanic. Table 4 sets out the Hispanic representation in 40 City agencies in descending order. Table 5 sets out new hires by agency in descending order.

⁶This does not include the Department of Social Services.

TABLE 4
HISPANICS IN CITY AGENCIES^{a, b}
JUNE 30, 1985

<u>Agency</u>	<u>TOTAL EMPLOYEES</u> #	<u>HISPANIC</u>		<u>Total</u> # %
		<u>Female</u> #	<u>Male</u> #	
Human Resource Administration	976	101	88	189 (19.36)
Commission on Human Rights	137	12	12	24 (17.52)
Correction	7,689	154	945	1,099 (14.29)
Juvenile Justice	614	23	56	79 (12.87)
Social Services (HRA)	25,446	1865	1,293	3,158 (12.41)
Housing Preservation & Development	3,495	180	252	432 (12.36)
Investigation	117	7	7	14 (11.97)
Records & Information	93	9	2	11 (11.83)
Financial Information Services	373	18	26	44 (11.8)
Aging	1,152	80	54	134 (11.63)
Consumer Affairs	286	17	15	32 (11.19)
Ports & Terminals	242	5	22	27 (11.16)
Mental Health, Mental Retardation	346	25	13	38 (10.98)
Probation	1,275	103	36	139 (10.9)
Buildings	842	46	45	91 (10.81)
Health	4,963	297	239	536 (10.8)
Personnel	668	26	46	72 (10.78)
Cultural Affairs	47	3	2	5 (10.64)
Parks & Recreation	5,789	92	523	615 (10.62)
City Planning	523	25	29	54 (10.33)
Office of the Mayor	1,692	120	52	172 (10.17)
General Services	3,300	112	216	328 (9.94)
Collective Bargaining	21	1	1	2 (9.52)
Police	33,775	982	2,202	3,184 (9.43)
Taxi & Limousine Commission	390	7	25	32 (8.21)
Transportation	6,388	132	359	491 (7.69)
Economic Development	182	8	6	14 (7.69)
Board of Estimate*	58	3	1	4 (6.9)
Comptrollers*	1,072	47	25	72 (6.72)
Environmental Protection	4,901	68	237	305 (6.22)
Sanitation	12,161	82	640	722 (5.94)
Board of Election*	321	7	12	19 (5.92)
Law	1,242	51	22	73 (5.88)
Finance	2,282	76	57	133 (5.83)
Sheriffs Office	83	0	3	3 (3.61)
Employees' Retirement System*	276	6	2	8 (2.90)
Board of Standards and Appeals	35	1	0	1 (2.86)
Fire	13,568	30	329	359 (2.65)
Payroll Administration	78	2	0	2 (2.56)
Tax Commission	31	0	0	0 (00.00)

^a 4 Non Mayoral agencies (marked *)

^b only incumbents with available "ethnic" codes, (missing employees: 1753)

TABLE 5
HISPANIC NEW HIRES: MAYORAL AGENCIES^a
1984 - 1985

	<u>TOTAL</u>	<u>HISPANIC</u>			
		<u>Female</u>	<u>Male</u>	<u>Total</u>	
		<u>#</u>	<u>#</u>	<u>#</u>	<u>%</u>
Ports & Terminals	31	1	7	8	(25.80)
City Commission on Human Rights	27	5	1	6	(22.22)
Human Resources Administration	35	5	2	7	(20.00)
Buildings	142	10	18	28	(19.72)
Records and Information	27	1	4	5	(18.52)
Social Services (HRA)	3,172	361	216	577	(18.19)
Health	317	36	19	55	(17.35)
Correction	1,166	45	155	200	(17.15)
Investigation	35	2	4	6	(17.14)
Mental Health, Mental Retardation	41	5	2	7	(17.10)
Consumer Affairs	55	4	5	9	(16.36)
Mayor's Office	289	32	13	45	(15.57)
Juvenile Justice	91	4	10	14	(15.38)
Probation	184	22	6	28	(15.22)
Aging	49	6	1	7	(14.3)
Housing Preservation & Development	504	33	36	69	(13.7)
Police	3,934	116	408	524	(13.32)
Taxi & Limousine	132	3	14	17	(12.88)
Economic Development	40	4	1	5	(12.50)
City Planning	60	3	4	7	(11.67)
Sanitation	1,593	15	165	180	(11.3)
General Services	491	21	32	53	(10.79)
Transportation	964	31	72	103	(10.68)
Parks & Recreation	558	7	50	57	(10.22)
Environmental Protection	641	9	56	65	(10.14)
Comptrollers*	129	11	2	13	(10.08)
Financial Information Service	72	4	2	6	(8.33)
Personnel	86	3	4	7	(8.14)
Finance	206	5	6	11	(5.34)
Law	173	5	2	7	(4.05)
Employee Retirement System*	32	1	0	1	(3.13)
Fire	488	5	7	12	(2.46)
NYC Total (EEO-4 Reports)^b	15,764	815	1,324	2,139	(13.57)

Notes: ^a Only agencies with more than 20 hires, also 2 non-mayoral agencies (marked *)
^b Because of exclusion of some agencies, NYC total is not equal to column totals

By Job Title

There is a large difference in the representation of Hispanics in the various civil service job titles. For example, of the nine City titles with over 3,000 incumbents, Eligibility Specialists show the highest representation of Hispanics with 1,095 (24%) Hispanics among the 4,642 workers; at the bottom of the list are Fire Fighters, with 233 (2%) Hispanics from a total of 9,462 workers, and Sanitation Workers, with 421 (6%) among 7,097 (see Table 6).

HISPANIC REPRESENTATION IN CITY TITLES WITH 120 OR MORE INCUMBENTS¹

TABLE 6

TITLE	TOTAL	HISPANIC		TITLE	TOTAL	HISPANIC	
	EMPLOYEES	#	%		EMPLOYEES	#	%
Accountant	233	17	(7)	Junior Public Health Nurse	173	4	(2)
Administrative Staff Analyst	580	3	(1)	Juvenile Counselor	191	14	(7)
Administrative Engineer	313	7	(2)	Laborer	1194	108	(9)
Administrative Manager	616	21	(3)	Lieutenant (FD)	1528	20	(1)
Associate Real Property Manager	140	7	(5)	Lieutenant (PD)	808	13	(2)
Assistant Accountant	198	17	(9)	Maintenance Worker	283	35	(12)
Associate Engineering Technician	138	11	(8)	Motor Vehicle Operator	536	49	(9)
Associate Park Service Worker	490	63	(13)	Office Aide	4642	452	(10)
Associate Traffic Enforcement Agent	245	20	(8)	Office Associate	5200	548	(11)
Associate Accountant	416	21	(5)	Oiler	132	5	(4)
Associate Attorney	139	1	(1)	Paralegal Aide	110	9	(8)
Associate Staff Analyst	590	13	(2)	Park Service Worker	1172	254	(22)
Associate Tax Auditor	287	11	(4)	Park Supervisor	261	16	(6)
Assistant Civil Engineer	408	32	(8)	Plumber	125	3	(2)
Assistant Corporate Counsel	404	7	(2)	Police Administrative Aide	2349	230	(10)
Assistant District Attorney	1232	40	(3)	Police Attendent	140	15	(11)
Assistant Stock Handler	122	13	(11)	Police Communications Technician	621	60	(10)
Attendant	168	33	(20)	Police Officer	19430	1998	(10)
Attorney	183	5	(3)	Principal Human Resource Specialist	207	26	(13)
Auto Mechanic	818	27	(3)	Principal Administrative Associate	5461	323	(6)
Battalion Chief (FD)	313	2	(1)	Principal Park Supervisor	136	1	(1)
Captain (PD)	250	1	(0)	Probation Officer	590	61	(10)
Captain (Correction)	526	40	(8)	Project Coordinator	151	1	(1)
Captain (FD)	524	2	(0)	Public Health Assistant	193	24	(12)
Carpenter	188	6	(3)	Real Property Manager	296	67	(23)
Case Worker	3213	529	(16)	Recreation Director	137	3	(2)
City Assessor	173	2	(1)	Sanitation Enforcement Agent	153	19	(12)
Civil Engineer	220	4	(2)	Sanitation Worker	7097	421	(6)
Climber and Pruner	142	6	(4)	Second Grade Detective	230	22	(10)
Community Assistant	683	176	(26)	Senior Homemaker	188	8	(4)
Community Associate	702	111	(16)	Sergeant (PD)	2364	74	(3)
Community Coordinator	345	29	(8)	Sewage Treatment Worker	552	35	(6)
Computer Programmer Analyst	135	4	(3)	Shop Clerk	401	29	(7)
Computer Specialist (Software)	304	6	(2)	Special Officer	538	99	(18)
Computer Associate (Technician)	193	9	(5)	Senior Automotive Service Worker	123	8	(7)
Computer Associate (Software)	232	8	(3)	Senior Human Resources Specialist	206	40	(19)
Computer Associate (Operations)	184	14	(8)	Senior Police Administrative Aide	447	15	(3)
Confidential Investigator	231	22	(10)	Staff Analyst	481	16	(3)
Construction Laborer	252	13	(5)	Stationary Engineer	209	7	(3)
Cook	131	15	(11)	Stationary Engineer (Elect)	130	6	(5)
Correction Officer	5794	930	(16)	Stenographer Secretary	208	22	(11)
Custodial Assistant	1528	323	(21)	Stenographic Secretary Associate	285	24	(8)
Debris Remover	158	27	(17)	Supervisor (Water & Sewer System)	125	6	(5)
Deckhand (Ferry)	193	6	(3)	Supervisor Human Resource Specialist	204	32	(16)
Electrician	223	10	(4)	Supervisor Probation Officer	121	2	(2)
Eligibility Specialist	4642	1094	(24)	Supervisor I (Welfare)	1479	52	(4)
Fire Alarm Dispatcher	158	3	(2)	Supervisor II (Welfare)	383	9	(2)
Fire Fighter (Uniformed)	9462	233	(2)	Supervisor III (Welfare)	150	1	(1)
Fire Marshall (Uniformed)	288	11	(4)	Tax Auditor	124	8	(6)
Foreman (Sanitation)	1082	23	(2)	Taxi & Limousine Inspector	108	17	(16)
General Superintendent (Sanitation)	149	1	(1)	Technical Support Aide	496	48	(10)
Hi Pressure Plant Tender	238	11	(5)	Third Grade Detective	2441	185	(8)
Highway Repairer	429	18	(4)	Tractor Operator	146	4	(3)
Inspector (Housing)	286	23	(8)	Traffic Device Maintainer	162	5	(3)
Institutional Aide	554	78	(14)	Traffic Enforcement Agent	1597	230	(14)
Investigator	243	18	(7)	Urban Park Ranger	131	16	(12)
				Word Processor	259	41	(16)

Notes ¹ Mayoral agencies, incumbents earning at least 13,221 annually, June 30, 1985

Even in entry-level positions, which have traditionally had larger concentrations of minorities, Hispanic representation is low. This low representation is particularly dramatic when compared to the representation of Blacks in these titles. For example, of the 4,642 Office Aides at City agencies, 9.7 percent are Hispanic and 67.2 percent are Black; of the 5,200 Office Associates, 10.5 percent are Hispanic and 57.4 percent are Black; and of the agencies' 5,461 Principal Administrative Associates, 5.9 percent are Hispanic and 48.6 percent are Black.

Hispanic Managers

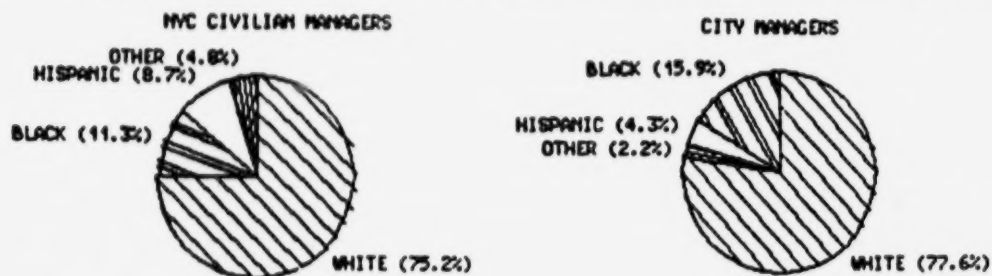
The City's record on hiring managers is analyzed separately because of their role in setting policy in City agencies. Of the available measures for analyzing the employment of managers, the one that seems most accurate is the City's Management Pay Plan (MPP).⁷ Management service is defined as the "service of those employees with significant policy, managerial, administrative or professional duties that require the customary and regular exercise of independent judgment in program management, planning, allocation of resources, or in the scheduling and assignment of work." (Guide for New York City Managerial Employees, p. 1.) The MPP consists of assignment levels M1 to M10. Each assignment level has a minimum and a maximum salary, with the exception of level M10 which is paid at a flat rate.

Of the 3,856 managers in City agencies as of June 1986, 2990 (77.5%) are White, 617 (16.0%) are Black, 164 (4.3%) are Hispanic, and 85 (2.2%) are Asian. In comparison, the 1980 Census data indicate that 75.2 percent of the managers in the New York City civilian work force are White, 11.2

⁷The Commission used the MPP instead of the EEO-4 Report, Category 1 "Officials and Administrators," because the latter includes workers in the title Principal Administrative Associate (PAA). PAA is a title which can encompass a wide range of responsibilities, including those with primarily clerical responsibilities, as well as those with principally administrative responsibilities. Most analysts agree that the majority of PAA's are not managers. There has been a separate Management Pay Plan (MPP) for managers since July 1, 1968; some major modifications occurred in 1978.

percent are Black, 8.7 percent are Hispanic, and approximately 4.8 percent are Asian. This record indicates that the City's utilization of Hispanic managers is significantly below that of other employers in the New York City area (see Figure 3). This 4.3 percent representation of Hispanics in 1986 is, however, a significant increase from the 1.9 percent representation of Hispanic managers in 1978.⁸

FIGURE 3
COMPARISON OF NYC CIVILIAN MANAGERS^a WITH CITY MANAGERS^b



Notes: ^a 1980 Census
 ^b June, 1986

In addition to being underrepresented, Hispanics are more heavily concentrated among the discretionary appointments and the lower levels of management. Of the 164 Hispanic managers, 155 (94.5%) were discretionary and 9 (5.5%) were competitive.⁹ In comparison, of the City's 3,856 managers, 3,110 (80.7%) were discretionary and 746 (19.3%) were competitive (see Table 7).

⁸For the 1978 managerial figures, the EEO category 1 was used. PAAs were brought into that category in 1980 during a job title reclassification.

⁹It would have been useful to have this same degree of particularity with respect to the non-managerial employees and the new hires, but the information was not available at the time this report was finalized.

TABLE 7
MANAGEMENT PAY PLAN
JUNE 1986

	WHITE		BLACK		HISPANIC		OTHER		TOTAL
	Male	Female	Male	Female	Male	Female	Male	Female	
	#	#	#	#	#	#	#	#	#
	%	%	%	%	%	%	%	%	%
Discretionary	1672	650	257	274	106	49	55	17	3080
	54.3	21.1	8.3	8.9	3.4	1.6	1.8	.6	100.0
Competitive	582	56	65	21	8	1	2	1	736
	79.0	7.6	8.8	2.9	1.1	.1	1.3	0.1	100.0
Total	2254	736	322	295	114	50	67	18	3856
	58.5	19.1	8.4	7.7	3.0	1.3	1.7	0.5	100.0
NYC Civilian ^a		75.2		11.3		8.7		4.8	
Managers %									

Note: ^a 1980 Census

While a breakdown by the different M-levels is not available for the 1986 figures, an analysis of the MPP as of December 1984 (see Table 8) indicated that 47.9 percent of Hispanic managers were at M1, the lowest managerial level, while only 40 percent of managers in general, and 36.4 percent of the White managers were at M1. Of the 179 managers above the M5 level, only 5 (2.8%) were Hispanic.

TABLE 8
MANAGEMENT PAY PLAN
DECEMBER 31, 1984
M-LEVEL BY RACE/ETHNIC GROUP

	WHITE # <u>Col %</u>	BLACK # <u>Col %</u>	HISPANIC # <u>Col %</u>	OTHER # <u>Col %</u>	TOTAL # <u>Col %</u>
M1	807 36.4	251 52.7	47 47.9	33 53.2	1138 40.0
M2	578 26.0	112 23.5	24 24.5	11 17.7	725 25.5
M3	357 16.1	47 9.9	13 13.3	14 22.5	431 15.1
M4	223 10.0	38 8.0	8 8.1	1 1.6	270 9.5
M5	103 4.6	4 .8	1 1.0	3 4.8	111 3.9
M6	78 3.5	10 2.1	1 1.0	0 .0	89 3.1
M7	40 1.8	10 2.1	3 3.0	0 .0	53 1.9
M8	18 .8	3 .6	0 .0	0 .0	21 .7
M9	14 .6	1 .2	1 1.0	0 .0	16 .6
TOTAL	2,218	476	98	62	2,854

The Commission was also given figures on Hispanic representation among the highest level of City government as of March 1986 (see Table 9). Of the 153 Commissioners and Deputy Commissioners in mayoral agencies, 11 (7.2%) are Hispanic. It is difficult to compare the 1986 figures with the 1984 figures because they do not coincide -- not all commissioners and deputy commissioners are in the MPP -- and because the 1986 figures are so small that differences may not be statistically valid. One possibility, however, is that there are two concentrations of Hispanic

managers: one at the bottom, i.e., level M1 and another smaller cluster at the highest level.

TABLE 9
COMMISSIONERS AND DEPUTY COMMISSIONERS
IN MAYORAL AGENCIES, MARCH 31, 1986

WHITE		BLACK		HISPANIC		OTHER		Total
Male	Female	Male	Female	Male	Female	Male	Female	
#	#	#	#	#	#	#	#	#
%	%	%	%	%	%	%	%	%
89	31	13	7	9	2	2	0	153
58.2	20.3	8.5	4.6	5.9	1.3	1.3		100.0

As mentioned earlier, it is important to distinguish between competitive and discretionary appointments in order to identify ways to improve City agencies' record in the hiring of Hispanic managers. There is also a further distinction to be made about the civil service status of the managers. Within the discretionary appointments there is an important distinction between "step ups," "pure provisionals," and those who are "exempt, unclassified or noncompetitive."

Step-ups are existing City employees who receive provisional promotions and serve in managerial positions at the discretion of the agency head and not as a result of a civil service examination. While serving in the new title they retain their previous competitive title (typically not at a managerial level). Pure provisionals, on the other hand, are also employed to work in managerial positions for which a civil service examination has not been given, but they have been hired from outside City government and civil service; unlike step-ups, pure provisionals are not entitled to take a civil service promotional tests because they have no permanent civil service status. If a promotional civil service test is given, these pure provisionals would lose their jobs. Those in exempt, unclassified, or noncompetitive titles are appointed totally at the discretion of the agency head. There are no civil service exams for

these titles because there could be no meaningful exam (e.g., Commissioner) or because there are widely accepted qualifications.

Again, an analysis of the MPP by civil service status was only available for December 1984 (see Table 10). This analysis indicates that, even within the discretionary appointments, Hispanics are concentrated among the pure provisionals. In December 1984, of the competitive managers, 1.3 percent were Hispanic; of the step-ups, 2.7 percent were Hispanic; of the exempt, unclassified, and noncompetitive, 4.0 percent were Hispanic; while of the pure provisional 48 (6.8%) were Hispanic. Forty-four percent of all Hispanic managers were pure provisionals, while only 23 percent of managers in general, and 22 percent of White managers were pure provisionals.

TABLE 10
MANAGEMENT PAY PLAN
DECEMBER 31, 1984
CIVIL SERVICE STATUS BY RACE/ETHNIC GROUP

	WHITE # <u>Col %</u>	BLACK # <u>Col %</u>	HISPANIC # <u>Col %</u>	OTHER # <u>Col %</u>	TOTAL # <u>Col %</u>
Competitive	535 22.3	82 16.4	8 7.3	8 12.3	633 20.6
Step Up	1038 43.2	261 52.3	39 35.7	40 61.5	1378 44.9
Pure Provisional	535 22.3	114 22.8	48 44.0	13 20.0	710 23.1
N, X, or U ^a	290 12.1	42 8.4	14 12.8	4 6.1	350 11.4
Total	2398 100.0	499 100.0	109 100.0	65 100.0	3071 100.0

Notes: ^a Noncompetitive, Exempt or Unclassified

In sum, when the City's commissioners have exercised the flexibility to reach outside current City employees, more Hispanics have been hired

as managers. Hispanics, however, are still represented in City managerial positions at less than half the rate of their representation in the City-wide civilian managerial work force. Moreover, a large proportion of the Hispanic managers who have been appointed have no permanent civil service status.

Conclusions

Some general conclusions can be drawn from the data reviewed above. These conclusions, however, must be tempered by the fact that critical data needed to answer questions are not available. Much of the information and recommendations set out in this chapter could be further refined by additional data, which are not maintained. For example, data concerning the number of Hispanics applying for positions in City government and the number of Hispanics taking civil service exams would help determine applicant flow. The Commission finds that:

- Hispanic New Yorkers, as a whole, are seriously underrepresented in the City's mayoral agencies when measured against the available civilian work force.

- The number of Hispanics in each City agency differs significantly, with most Hispanics concentrated in the social service agencies.

- The current administration has increased the number of Hispanics working for the City's mayoral agencies from 5,618 to 11,768 since 1977. Despite these successes, the City does significantly worse than the civilian work force in the hiring of Hispanics managers.

- When analyzed by civil service title, few distinct trends emerge except that Hispanics seem to be heavily concentrated in the EEO Paraprofessional category. Within this category, the preponderance of Hispanics work as human service employees.

- New Hispanic hires are primarily working in provisional positions earning less than \$20,000 per year. The City's new hires show, overall, an increasing number of Hispanics. The rate of new Hispanic hires,

however, is not yet at a level where it approximates the available civilian work force. Therefore, it may be some time before the City's mayoral agencies approximate the representation of Hispanics in the City's civilian workforce.

- At both the non-managerial and managerial levels, the greatest percentages of the City's Hispanics have been discretionary hires from outside the competitive civil service structure.

What are the causes of the underrepresentation of Hispanics in the City's work force? There are several possibilities. Some may be benign: there may have been no turnover in a particular position for a number of years; the salaries paid by the City to qualified Hispanic candidates cannot match those of the private sector; or there may be a job-related civil service examination which Hispanics do not pass at a high enough level to be selected for employment under existing civil service laws.

On the other hand, there may be more questionable reasons for the underrepresentation: there may not be adequate recruitment efforts aimed at Hispanics by the Department of Personnel or the relevant agencies for civil service examinations or discretionary appointments; the criteria for the discretionary employment position or the civil service examination may not be job-related; or the hiring process may be otherwise biased.¹⁰

One striking fact emerges from the Commission's analysis: Hispanics are significantly underrepresented in City government and, further, even in an era of increased awareness of the need for minority recruitment, Hispanics have not been as successful as Blacks in obtaining City jobs.

¹⁰It was not feasible for the Commission to conduct an inquiry as to the precise causes for the underrepresentation of Hispanics in each job function in each City agency. To begin answering this question thoroughly, the Commission would have needed significantly more data regarding: the number of non-managerial, competitive, provisional, exempt, noncompetitive, and laborer employees; yearly attrition figures; the makeup of the applicant flow; as well as additional information to fill the gaps in the available data.

Statistics gathered by the City's Department of Employment show that the entry of Blacks into City government started in large numbers with the expansion of City jobs in the human services sector during the War on Poverty in the 1960s. The number of Blacks in government grew from 33,722 in the 1960s to 112,677 in the 1970s.¹¹ During this same period, Hispanics were being displaced in large numbers from jobs as manufacturing firms left the City. It is estimated that as many as 20,000 Puerto Ricans in manufacturing industries became unemployed during this period. What is unclear, however, is whether the displaced Hispanic workers began to seek work with the City and, if not, why not? Were City jobs less open to Hispanics than they were to Blacks? Does the fact that the Hispanic population over the age of 16 increased from approximately 8.5 percent of the total population in 1960 to 17.4 percent in 1980, and, therefore, could be considered a "newer" community, account for the slow rate at which they were hired into governmental positions? Even given the historical background, what accounts for the fact that Blacks have continued to enjoy a percentage of the new hires in excess of their representation in the population while Hispanics remain at lower levels?

The Commission believes that one answer to these questions is that "minority" is too often taken to mean "Black." Hispanics have been an invisible minority in New York and have not gained full benefit from many of the equal employment opportunity programs of the last two decades. In the following sections, the Commission recommends a number of changes to the City's equal employment opportunity program and hiring practices. While the Commission maintains that these changes are an essential step towards increasing Hispanic employment in City government, we also caution that it will have limited success unless the need for the City to effectively reach out to the Hispanic community is given higher visibility.

¹¹These figures are from Census data and include workers not included in EEO-4. Before 1980, the Census did not include a category "Hispanic", only "Puerto Ricans" were counted separately.

Addressing Hispanic Underrepresentation

Described below are a number of specific steps which the City can take to increase its efforts to hire Hispanics and help to reverse years of underrepresentation. The Commission recommends that the City: adopt objectives for Hispanic representation; improve the City's EEO monitoring program; upgrade the status of EEO Officers; focus EEO efforts on titles where underrepresentation is most severe; enhance recruitment for competitive and discretionary hires; and increase the number of Hispanic managers.

Establish Performance Objectives for Hispanic Representation in City Job Titles

The Commission has concluded that the lack of any performance objectives by which to measure employment efforts hinders the ability of City agencies to meaningfully increase the representation of Hispanics. We urge that the City adopt a more systematic EEO approach to ensure that all minority groups receive the same attention and scrutiny. We urge the use of objectives as a tool to ensure that each agency's EEO efforts are effective for Hispanics. Whether the underrepresentation of Hispanics results from City EEO policies or historical patterns, the use of objectives should help the City to begin creating the "critical mass" of Hispanic employees so that Hispanics may duplicate the success Blacks have had.

The starting point for setting performance objectives is a utilization analysis based upon the availability of minorities in the relevant work force for an agency's job titles. The availability of each minority group in the relevant work force helps to focus EEO efforts and to measure the success of those efforts. Because this concept is so crucial to understanding the context of the Commission's recommendation, how these terms might be used in an actual EEO program is explained below.

Assume that a utilization analysis is being done for entry-level engineers in the City's fictional Department of Services (DS). The first step in the analysis is to identify the availability of minority engineers in the relevant work force: the number of Hispanic engineers with the required level of experience in the geographical area from which the DS

could be reasonably expected to hire. Assume that 10 percent of the engineers with the required credentials and experience are Hispanic. This figure is then compared to the number of Hispanic engineers in the DS work force, which we will assume is 2 percent.

The inquiry then shifts to the causes of the discrepancy. It is possible that the reasons may be entirely outside the DS's control. For example, there may have been no hiring of new engineers in many years or perhaps many Hispanics had not passed the required job-related examination. On the other hand, the causes could be traced to a poor recruitment effort, employment criteria that are not job-related, or a biased hiring process. After careful analysis of the possible causes of the problem, the DS would be expected to come up with an employment plan to remedy the discrepancy. Such an EEO plan could include expanded outreach to professional organizations, personal visits by the agency head to some graduate schools, or the development of an internship program. This plan would be monitored each year and changed if it was not producing results. If the agency does not reach the 10 percent availability figure but continues to undertake yearly analysis of the deficiencies in its EEO program and attempts at innovative outreach efforts, the program would be considered satisfactory.

Discussions by the Commission staff with EEO experts in the private and public sector have indicated that such a utilization analysis produces positive results. These experts feel that there is no need in most situations to resort to quotas or goals with timetables and sanctions. It is the Commission's view that debate on the appropriateness of quotas too often diverts attention from the real task of developing a sophisticated EEO program with clearly stated objectives and effective monitoring. The opposition to quotas by leadership is too often taken by lower level management as a "hands-off" signal to genuine EEO efforts and, at times, ends up being a defacto use of quotas against Hispanic employment.

The City's current EEO program does not require agencies to follow the above-outlined approach. There is no availability analysis for each of the City's job titles. There are no performance objectives by which to

measure the success or failure of existing EEO programs. The City's Commission on Human Rights, the agency which has developed the EEO program with the City-wide EEO Committee, generally asks only that each agency identify those general EEO categories where there is an underutilization and recommend a plan to overcome these deficiencies. Such an underutilization review, however, is very general and no analysis of the specific pool of available labor by job title is required. In effect, the City's EEO performance is judged in a void.

The agencies' superficial analyses result in an ill-defined equal employment opportunity effort which appears to be halfhearted at best.¹² City agencies are not reaching out to qualified Hispanic candidates and they are rarely held accountable for their failure to do so. The fact that so many agencies have been permitted to limp along without using efficient, businesslike practices in setting EEO objectives, despite the strongly worded memoranda directed at mayoral agencies from City Hall, is objectionable. Such a practice would not be tolerated by a conscientious private sector employer and should not be accepted by the Mayor.

It is time for the Mayor to send out a strong signal to his agencies -- a message that tells each agency to focus its efforts on increasing Hispanic representation by identifying the available work force for each job title -- and to demand that a clear EEO program be developed. Given the Mayor's well-publicized comments against using quotas, it is doubtful that agency heads would use such a pronouncement as a license to hire unqualified minorities to meet a numerical goal. Rather, it would be a more definitive

¹²Some City agencies may have made vigorous but unsuccessful efforts to recruit Hispanics. Our review of many agencies' EEO programs, however, indicated that few had reported such efforts to the City Commission on Human Rights in their annual reports. The Fire Department, for example, recognizes that women and minorities are underrepresented in all EEO categories. The Department's total remedy, as outlined in the 1984-85 EEO report is, "The Fire Department will continue to work toward an even greater improvement in our effort next year."

statement that will signal that he means business and expects a vigorous EEO effort from his commissioners.

It is interesting to note that private contractors doing business with the City are treated quite differently from City agencies. Mayoral Executive Order No. 50 (E.O. 50) -- with limited exceptions -- requires that private contractors doing business with the City submit an Employment Report to the City's Bureau of Labor Services (BLS) detailing the company's hiring policies and identifying the number of women and minorities in each job category. BLS then conducts a thorough utilization analysis on selected contractors comparing the percentage of minorities and women in each job category in the contractors' work force with the percentage of women and minorities in the same categories in the relevant available work force to determine whether or not an employer is engaged in discrimination.

If the difference is statistically significant, and there are no benign reasons for the discrepancy, the employer is deemed to be apparently underutilizing minorities and must come up with an employment plan to increase the number of minorities through such traditional techniques as enhanced recruitment and examination of employment criteria. If the initial efforts are not very successful, BLS works with the company to improve the efforts. At no point does BLS set goals for the contractor, nor does the agency return to the availability figure as a measure of how successful the recruitment practices have been. It does, however, do something the City does not now do -- it precisely defines the available work force and determines whether the company is engaged in discrimination. BLS is widely regarded by many public interest advocacy groups as the City's most effective civil rights enforcement agency.

If the City were to treat its own agencies with the same rigor and demand the same standard of accountability as it does for private contractors, the underrepresentation of Hispanics could be better addressed. These objectives are not quotas; they are the operational standards against which City agencies can measure the success of EEO efforts. Just as other areas of City government set operational goals and

standards, City agencies must have a basis by which they can be judged by the Hispanic community in governmental efforts to increase Hispanic representation in City government.

RECOMMENDATIONS

- * That City agencies conduct utilization analyses by job titles as part of their EEO reporting responsibilities. To conduct these analyses, each agency should calculate the available work force in the job titles used and determine the extent of Hispanic underrepresentation. These analyses should be instituted in the first quarter of 1987.
- * That, using these analyses, the City require agencies to develop specific remedial plans where such underutilization of Hispanics is statistically significant from the relevant availability figure.
- * That remedial plans be monitored on a quarterly basis to ascertain whether they have been carried out.
- * That if Hispanic representation does not increase, the agency be required to implement changes in its remedial plan.

Improve Monitoring of City Agencies' Equal Employment Opportunity Programs By Moving the Responsibility to an Independent Mayoral Office

The City of New York is an Equal Employment Opportunity (EEO) employer. The City's EEO program is set out in Executive Order No. 61 (E.O. 61), promulgated July 27, 1981. While on paper the Executive Order appears to set out a comprehensive structure for the maintenance of an active EEO program, in practice it has not done enough to meaningfully increase the representation of Hispanics in City government.

Under E.O. 61, the Mayor's Committee on Equal Employment in City Government (Committee), chaired by the First Deputy Mayor, is given the overall authority for supervising the program. The Committee rarely meets and plays only a marginal role in agency employment decisions. There is a Subcommittee of the City-wide Committee which meets with some frequency. The Subcommittee consists of the City Commission on Human Rights

(CCHR), the Department of Personnel, the Mayor's Office of Operations and the Law Department. A representative of the CCHR reported to the Commission that the CCHR cannot always effectuate meaningful EEO policies because of the necessity to obtain the approval of the other "more powerful" agencies in the Subcommittee. The members of the Subcommittee strenuously disagreed with this characterization.

The Government Employment Division of the CCHR (GED) is charged with monitoring agency compliance with the City's EEO program. GED monitors agencies' submissions of quarterly and annual EEO reports, reviews the information contained in these reports, reviews each agency's program through on-site reviews and performance review letters, and provides technical assistance.

A review of GED's record of success in securing compliance with the City's EEO program indicates that it has not been able to function up to its potential. There are a number of reasons for GED's limited effectiveness.

GED informed the Commission that it is unable to impose meaningful sanctions for an agency's failure to develop or maintain a sound EEO program. Agency heads can and often do make discretionary appointments without any serious effort to recruit Hispanics or to implement needed changes in their EEO programs. GED's only recourse is to ask the First Deputy Mayor to deal with the offending agency. The most severe sanction meted out by the First Deputy Mayor seems to be a letter or an informal conversation with the relevant commissioner. Even then, the Commission was informed, City Hall's involvement is largely limited to reprimanding those agencies that have failed to submit any of the required EEO reports in a timely manner. Last year, 14 agencies did not submit their reports on time. To the members of the Commission, this appears to be an EEO program in disarray.

GED staff has remained at four or five employees over the past several years. With more staffing, there could be more on-site audits, performance reviews, training of EEO officers in the agencies, and a range

of other services that are needed for a meaningful EEO program. Last year GED requested that its staffing be increased to 12, but the proposed increase was eliminated by the Office of Management and Budget. It is interesting to contrast the funding provided to the Division with that given to BLS. BLS has a \$2 million budget, 61 employees, and is developing extensive computer resources to monitor those who do business with the City. Why has GED been given comparatively so few resources to monitor City agencies?

The City collects a great deal of information that would be useful in developing an effective EEO program. However, much of these data are not brought together in any one place and so cannot be used to develop more effective programs. For example, the Commission on Human Rights collects information on the race, ethnicity, and sex of applicants for different categories of agency positions. Such information would be very useful to the Mayor's Office of Personnel in determining whether the agency's recruitment effort was adequate. In addition, the data collected by the Department of Personnel and the Office of Management and Budget would be helpful in assisting GED focus equal employment efforts.

The CCHR has an adversarial relationship with other City agencies which restricts its ability to engender cooperation and compliance with EEO objectives. When a City employee claims employment discrimination, the complaint is typically filed with the CCHR. If probable cause is found by the CCHR, then the CCHR legal office and the relevant City agency engage in formal legal disputes before a hearing officer. Over one-fourth of the CCHR's cases are against City agencies. Given this adversarial context, it pushes common sense to expect that the agencies involved in such disputes will cooperate with the CCHR in its role as monitor of the City EEO program.

In sum, there can be little argument that the City does not have a coherent internal EEO program and that GED has been unable to effectively carry out its responsibilities. It has neither the staff nor administrative power to require that agencies develop effective remedial programs.

How can the City improve the equal employment monitoring of City agencies? The Commission believes that if the functions of the GED were transferred to the Mayor's Office and reported directly to the Mayor, the prospects for an improved City-wide EEO program would be enhanced.

First, with the Mayor more personally accountable for the adequacy of the City's EEO program, it would be much more difficult for agencies to engage in the flagrant lack of cooperation which many agencies have demonstrated in the past. There would be a level of accountability for the City-wide EEO program that does not now exist. It is likely that with a mayoral EEO office, memoranda from the Mayor about Hispanic hiring would be more effective. With the current distribution of responsibilities, it is GED's responsibility to scrutinize agency hiring practices after the fact. The Mayor's Office, on the other hand, is often able to help agencies by providing them with candidates to increase their applicant pool through the Talent Bank. By moving the responsibilities of GED into the Mayor's Office, these two functions could be combined. That is, the Mayor's Office would be able to take a "carrot and stick" approach with City agencies. The carrot would be the assistance the Mayor's Office can provide in locating Hispanics, and the stick would be enhanced enforcement through locating the program in the Mayor's Office. By creating a mayoral EEO office, the real and perceived authority of the City's EEO program will be enhanced.

RECOMMENDATION

- * That the responsibilities of the Government Employment Division of the City Commission on Human Rights be transferred to an office which is directly accountable to the Mayor. This office should have the resources to effectively assist agencies in their efforts to recruit Hispanics for discretionary hiring, to increase the number of Hispanics taking civil service examinations, to analyze the EEO efforts of City agencies on a year-to-year basis, . and to recommend sanctions regarding those agencies which do not cooperate with minimal EEO practices.

Train and Upgrade Status of Equal Employment Opportunity Officers

Pursuant to E.O. 61, each mayoral agency is required to appoint an Equal Employment Opportunity Officer. The EEO Officer reports directly to the agency head and fulfills the duties and responsibilities set out in the City's EEO Manual. The Manual sets out a variety of responsibilities including the submission of quarterly and annual reports; the dissemination of EEO policies; the resolution of informal and formal complaints of discrimination; and all other steps necessary to ensure that there is compliance with the applicable laws, regulations, and administrative guidelines. The EEO Officer is the cornerstone of the City's EEO program. Unless she or he has adequate resources, training, authority, independence, access to the agency head, and participation in the full range of personnel decisionmaking, the agency's (and ultimately the City's) equal employment effort will suffer.

It is clear from interviewing a number of EEO Officers and GED officials that the effectiveness of EEO Officers varies widely among the agencies. Some agencies have large numbers of employees and correspondingly large EEO staffs. Others, despite the explicit directives of E.O. 61, have appointed low-level individuals as EEO Officers who are given no policymaking or hiring input in the agency. The primary responsibility of these low-level EEO Officers has been to submit the EEO Reports. Often, even that function is not a high priority. There is a need to review EEO Officers, City-wide, to ensure that they have the proper authority, and that they have received the training required to run an EEO program and dispute resolution.

RECOMMENDATION

- * That the new Mayoral EEO Office be given authority to approve EEO Officer appointments, that it take responsibility for training and evaluating those officers, and that it ensure that EEO Officers have adequate resources to effectively perform their functions.

Focus Equal Employment Efforts on Twenty-five Specific Titles

The underrepresentation of Hispanics needs to be addressed both at the City-wide level, as outlined in the following section, and through focused recruitment efforts in areas of serious underrepresentation. In Table 7, 77 of the titles have more than 120 incumbents and less than 10 percent Hispanic representation. Increasing Hispanic representation in these 77 titles should be a top priority for City EEO efforts.

The solutions to increasing Hispanic representation in the titles, however, are complex: there may not be a large pool of available Hispanic labor for that title; the civil service system, which governs employment and promotion of all City workers, may present barriers to changing the makeup of the work force; the nature of the civil service exam may work to exclude Hispanics; there may be experience requirements that rule out many Hispanics; or an agency has not effectively recruited them. Whatever the factors which exclude Hispanics, City agencies must find out whether the criteria can be justified. Then, even if the criteria can be justified, training programs could be developed to bring some Hispanic applicants up to the proper skills level.

The Mayor should establish a working group of relevant City personnel and representatives of nongovernmental groups familiar with Hispanic employment issues to identify from the longer list of job titles a group of titles to be the focus of a Hispanic recruitment campaign. The titles should have a large number of incumbents in which the number of Hispanics is significantly less than the number of Hispanics in the relevant work force and where there is some turnover in the existing work force. The working group should examine the requirements of each title and identify why City agencies have been unable to hire Hispanics. If the requirements cannot be justified, then they should be dropped. If the experience prerequisites are considered reasonable or unchangeable because of union resistance, the City should consider developing a training program -- in conjunction with Hispanic training organizations -- to develop the necessary skills that may serve as a substitute for the experience. If the test is considered truly job-related, instruction should

be given to assist Hispanics in passing these exams. The working group should complete its report and recommendations in six months.

RECOMMENDATION

- * That a working group be established to identify 25 titles to be the focus of a special Hispanic recruitment campaign. The working group should report to the Mayor in six months on specific steps to be taken to overcome the underrepresentation in these titles.

Enhance Recruitment of Hispanics for Competitive Positions through More Focused Outreach, Effective Advertising, and Assistance in Taking Examinations

In addition to focusing on a small number of titles, the City must also address Hispanic underrepresentation through general recruitment efforts aimed at increasing the number of Hispanic candidates sitting for civil service exams. Of the current City employees, approximately 75 percent hold competitive positions obtained through a civil service exam. If Hispanics are to receive more of these positions, there must be an extensive effort to encourage them to take the civil service exams. Responsibility for City recruitment is shared between the Department of Personnel and the hiring agency. Generally, the Department of Personnel takes responsibility for administering and recruiting for the civil service exams, while each agency has responsibility for recruitment of discretionary hires and for particular job titles used by the agency.

The City already makes considerable efforts to recruit Hispanic candidates for civil service exams. The Outreach Division of the Department of Personnel distributes 3,000 copies of a booklet advertising upcoming exams to a wide range of community employment counselors and TAP centers, and it regularly gives talks on City employment to a wide range of community organizations. The Recruitment Division also has a walk-in advice service which counsels many persons each month.

Some agencies have, on their own, expanded recruitment efforts. The recent recruitment campaign for Sanitation Workers has received wide media attention and praise from both government and nongovernmental

sectors and merits special mention here. The Sanitation Department recognized that its past record on hiring women and minorities was not strong and, therefore, made a commitment to ensure that the pool of candidates for its most recent Sanitation Worker exam reflected the New York City population. A massive recruitment campaign was undertaken using a private advertising agency and costing approximately \$400,000. The result was that the final civil service list established after the exam has 16 percent Hispanic representation, and the City's first woman Sanitation Worker has been appointed. Some people have accused Sanitation of "overkill" -- 62,000 people are now on an eligibility list for a position that has 500-700 openings each year -- but the Department did prove that, with effort, more minorities can be attracted to City positions.

While the City's present efforts are to be commended, the Commission feels that more can be done to attract Hispanic candidates for exams.

It is important that the City put its resources into the most effective strategies, yet little effort has been made to evaluate exactly which of the many outreach strategies work. As a starting point, all candidates for City exams and for discretionary hires, as well as those who are ultimately hired, should be asked how they found out about the position opening. We understand that this is not done presently even though candidates are asked to complete detailed questionnaires. Further analysis on specific strategies should be undertaken.

Upcoming City exams are advertised through postings and the publication Exams for Jobs, which is widely distributed to individuals and organizations which counsel the unemployed. The Department of Sanitation, however, showed the worth of bypassing these intermediaries and appealing directly to potential candidates. The schedule of City civil service exams should be more widely advertised to those populations that the City hopes to reach. Spanish-speaking media offer an opportunity to reach candidates directly or through their family and friends who might suggest that they apply for the exams.

To ensure that more Hispanics apply to take exams, the City should explore the possibilities for running preparation courses since a major barrier to increasing Hispanic participation is a fear many Hispanics have of sitting for City exams. The Commission staff was advised by experts in the training field that many Hispanics do not have sufficient self-confidence or feel that their chances are limited by background or ability to succeed in the exams. ASPIRA and the Puerto Rican Forum recently ran courses for unemployed women which taught not only job market skills but also self-awareness and self-esteem. These programs proved successful. Similar courses should be organized directly by the City or through contracts with job training organizations in conjunction with the Department of Employment.

RECOMMENDATIONS

- * That City outreach efforts be evaluated by questioning applicants and those hired to determine the most effective strategies for recruiting Hispanic candidates.
- * That the Department of Personnel, the Mayor's Office, agency EEO officers, the CCHR and other relevant agencies combine efforts to devise strategies for additional recruitment efforts to attract Hispanic candidates.
- * That the Department of Personnel advertise the schedule of City civil service exams in the major newspapers including Spanish-language and other newspapers.
- * That the City sponsor, either directly or indirectly through community-based organizations, preparation courses for Hispanic candidates wishing to take City exams that address both the substance of the particular exam and exam-taking techniques.

More Focused Recruitment of Hispanics for Discretionary Hires

Agencies may use their discretion in hiring for positions that have been designated as noncompetitive, exempt, unclassified, or laborer. In addition, agencies have discretion in hiring individuals for competitive positions on a provisional basis. Typically, an agency will find the individual it wishes to hire either from within, through advertising, or through a variety of informal search efforts.

If the discretionary position pays over \$20,000, the Mayor's Office of Personnel must approve the hiring of the individual. The Mayor's Office receives a Notice of Vacancy from the hiring agency which is posted in City Hall and in the agency for 10 days. During this interval, the Mayor's Talent Bank (see below) forwards to the agency the resumes it has received which seem to meet the job description. The agency must complete a form which states why these other candidates were not hired. If the reasons are not satisfactory, the agency is not permitted to hire the candidate of its choice. The Bank claims responsibility for placing over 305 Hispanics over the past two years. These placements have largely been in instances where the agency in fact had no in-house candidate. For professional positions, the agency frequently has identified a candidate it wishes to hire by the time the Vacancy Notice is sent to the Mayor's Office. In these instances, the Mayor's Office of Personnel has never rejected the agency's candidate but has insisted that the agency at least review the resumes of candidates forwarded by the Bank and justify its own candidate.

In addition to this review, on February 19, 1986, the Mayor's Office began a more extensive screening of prospective management candidates at or above the level of Deputy Commissioner. This review is by the First Deputy Mayor and the Mayor himself. The directive to City agencies states that while it is often justifiable to reward a capable manager with an in-house promotion, this should be preceded by a recruitment process in which other candidates are identified and considered.

This process goes far in placing many minority candidates into circulation among City agencies. The Mayor's Talent Bank represents the City's most effective effort to connect minorities to job openings through the combination of extensive community outreach and the authority and personal assistance of Joseph DeVincenzo, Special Assistant to the Mayor, and Nydia Padilla, Director, Mayor's Talent Bank. The Talent Bank draws quality candidates. The Commission feels, however, that much more can be done to improve the effectiveness of the outreach efforts for discretionary hires.

It is very difficult to have much of an impact on an agency's hiring decision if notice of the vacancy is posted only ten days before the date an individual is to be hired. Resumes from the Talent Bank at that late date may be useful in providing candidates with an opportunity at being considered for future vacancies, but not for the current opening. A system should be worked out so that the Talent Bank is contacted before the formal posting, in fact, as soon as the agency has a vacancy which it wants to fill. To be effective, such a system would require the City agency to notify the Mayor's Office of Personnel of the vacancy and whether or not it intends to fill it. At that time the Talent Bank would forward appropriate resumes and the candidates from the Talent Bank would be reviewed prior to their submission to the Mayor's Office of Personnel for the ten-day posting period.

Before any discretionary hiring is approved, there should be some assurance that an adequate equal employment opportunity effort was made. Obviously, by the time the position notice reaches the Mayor's Office there is some urgency on the part of the agency that its candidate be hired as soon as possible. The possibility of a delay at the final stage because there was no EEO recruitment effort should be avoided. This can best be done by providing City agencies with lists of recruitment sources for various job categories and requiring that they certify that the relevant groups were contacted and advertising done before approving discretionary promotion or hiring. This list would include all minority professional organizations, relevant professional newsletters, listings of graduate and undergraduate schools that maintain files of graduates seeking employment, etc. The Commission suggests that such a list be drawn up by the City-wide EEO Office in cooperation with the Bureau of Labor Services, which has already developed an extensive database to ensure adequate minority recruitment by companies doing business with the City.

EEO objectives would be furthered if an effort were made to centralize advertising. Under the current system, each agency advertises for discretionary hires if and when it sees fit. A more effective means would be to have a weekly or biweekly advertisement in The New York Times Sunday classified employment section. This ad would list and generally

describe senior positions that are currently open and, possibly, general categories of mid-level professional positions for which there is hiring on a regular basis. The advantage to advertising on a regular basis in this collective format is that, over time, qualified Hispanic candidates would know they could look for City openings in one central advertising location.

On occasion, senior minority and non-minority City personnel visit graduate schools of business administration, colleges, and other institutions to acquaint faculty, administration, and students with employment opportunities in the City. These visits are often followed by on-campus interviews of those interested in mid-level professional positions. Further interviews are then scheduled with the interested City agencies. This is an excellent program and should be expanded and regularized in order to interest talented Hispanic professionals in employment with the City.

RECOMMENDATIONS

- * That each Mayoral agency notify the Mayor's Talent Bank when filling a vacant discretionary position. If the Bank is notified only after the agency has a candidate, the agency should not be permitted to proceed with the hiring absent an explanation.
- * That agencies be provided with a list of mandatory recruitment sources developed by the City-wide EEO Office in conjunction with the Mayor's Office of Hispanic Affairs and the Bureau of Labor Services, that must be contacted regarding vacancies. The Mayor's EEO Office should conduct a review of the agency's recruitment efforts prior to approval of the hiring by the Mayor's Office. By providing the list in advance, EEO recruitment efforts should not seriously delay the hiring schedule.
- * That the City place regular advertisements in The New York Times and other newspapers with classified employment sections directed at senior professional vacancies. By using a regular format and location, the City's advertisements will receive more attention from a wider variety of people and help the City's efforts to hire Hispanic professionals.
- * That the City regularly send minority and non-minority senior officials to graduate schools in public administration, education, and business and certain

undergraduate institutions. The visits should include a presentation of the opportunities for creative and interesting work for professionals in the City and be followed by interviews on campus and in the City.

Increase the Number of Hispanic Managers through Internship Program and Changes in Civil Service Process

The recommendations outlined above for recruitment are particularly important for increasing the number of Hispanic managers because almost 80 percent of them are appointed through discretionary hires. The current civil service system emphasizes promotion of managers from within civil service, yet, as we have seen, there are few Hispanics to be promoted. Data indicate that City agencies can best increase the representation of Hispanics among managers by bringing them in from outside. This could be achieved by opening up certain aspects of the civil service system.

One of the primary difficulties in hiring Hispanic managers has been that few find their way into the low or mid-level managerial ranks from where they can be promoted to more senior positions. The more typical route of entry is as a discretionary hire by an agency head. Hiring Hispanic managers on such a sporadic basis is ineffective, in part because such managers often leave City government when the Commissioner, who hired them, leaves. There needs to be a more systematic effort at locating talented Hispanics and facilitating their placement in mid-level management positions. After considering various options, the Commission believes that the City should develop management internship programs -- open to all, but targeted at minorities, especially Hispanics. One model would be for the Hispanic intern to function as a management intern serving in a managerial capacity either within one agency or rotating among several key City agencies for three to four years. At the conclusion of the internship, the individual could be appointed to a managerial position in a particular agency. Such a plan requires the creation of a noncompetitive managerial internship title and a noncompetitive managerial promotional title for the interns and possible approval at the State level. Another approach could be to have the management interns take the civil service examination

for the relevant managerial title. It is the Commission's view that such a program would attract the best Hispanics to leadership roles in City government.

The largest group of Hispanic managers are pure provisionals and face the constant threat of displacement. The City should do all it can to keep them. The Commission recommends that so-called "pure" provisionals be given access to permanence either through open competitive exams or through the right to sit for promotional competitive exams after a qualifying time period. Civil service law gives agencies the power to hold open exams to include candidates outside the civil service. To facilitate EEO objectives, agencies should use their option to hold open competitive exams whenever possible.

Since most managerial civil service exams are promotional, only persons in designated "feeder" titles are eligible to sit for them. Such a practice, in effect, discriminates against Hispanics who are not there to be promoted. The designation of "feeder" titles should be reviewed in order to choose those which meet the agency's needs while giving a preference to those titles with a more significant minority presence. The Commission has been advised that although in the past the Department of Personnel could have chosen different feeder titles, it did not, despite the fact that the feeder titles with more minorities would have provided candidates equally qualified to the feeder title that was ultimately chosen. Such a change will give qualified Hispanics working at other agencies the same opportunity as everyone else to take the promotional exam.

The Commission is aware that some of these recommendations require changes to civil service law and negotiations with unions. The Department of Personnel together with the Law Department are the most appropriate agencies to examine how the changes could be effected.

RECOMMENDATIONS

- * That the Mayor direct the Department of Personnel to devise a management internship program leading to the interns becoming managers in City government. Recruitment for the program should be targeted at

Hispanics in graduate programs and in the private sector.

- * That the First Deputy Mayor for Operations report to the Mayor within 90 days on changes in the ways in which managers are hired through the civil service process which would facilitate the employment of Hispanic managers. The Commission recommends that the City provide more open competitive exams and redesignation of feeder titles. Should any of these actions necessitate changes in local or state law, we expect the First Deputy Mayor to report necessary amendments to existing civil service law or the State Constitution.

CHAPTER 7

HEALTH

Hispanics are a population whose health is constantly at risk. As documented in other sections of this report, many Hispanic families live in deteriorated and congested neighborhoods which foster ill health. It is, therefore, no surprise that more than twice as many Hispanic respondents in an East Harlem study viewed health as more important in their lives than economic and family problems.¹

It is to the massive bureaucracy of the Health and Hospitals Corporation (HHC) that many Hispanic families turn to for primary health services. The stated mission of HHC, the largest municipal hospital system in this country, is "to provide quality health care to all those in need regardless of their ability to pay for the services." HHC acknowledges that it is the "family doctor" to hundreds of thousands of New Yorkers. In fiscal year 1984 alone, HHC facilities registered 3,251,438 inpatient visits, 4,279,782 outpatient visits and 1,266,356 emergency room visits.

HHC INPATIENT DISCHARGES			
October 1, 1984 through September 30, 1985			
	Total # of Discharges	Hispanic Discharges	% Hispanics in Catchment Area
Bellevue	28,690	12,736 (44%)	36.8%
Bronx Municipal	26,089	11,372 (44%)	28.0%
Coney Island	17,599	2,677 (15%)	7.3%
Elmhurst	21,493	7,613 (35%)	22.7%
Harlem	22,749	3,517 (15%)	34.0%
Kings County	41,772	5,870 (14%)	19.0%
Lincoln	30,576	20,678 (67%)	45.9%
Metropolitan	18,425	10,679 (58%)	22.1%
North Central	16,685	8,368 (50%)	37.4%
Queens	21,421	2,852 (13%)	9.9%
Woodhull	20,038	9,020 (45%)	not available
TOTAL	265,537	95,382 (36%)	

¹Puerto Ricans and Mental Health, Jose Oscar Alers, Ph.D., Coordinator, Puerto Rican Migration Research Consortium, Inc. (1978)

Given HHC's mission to provide health services without regard to a patient's ability to pay, its resources are essential to the Hispanic population of the City. According to statistics provided to the Commission by HHC, approximately 36 percent of HHC inpatient discharges are Hispanic. As indicated in the table above, Hispanics are disproportionately represented in HHC's inpatient population as compared to their representation in the community served by each facility. HHC does not have city-wide data on the ethnicity of its outpatients but it does estimate that Hispanics comprise more than 36 percent of its out-patient population.

HHC recognizes the importance of having Hispanic bilingual/bicultural staff at all levels of the health delivery system. It is impossible for the system to successfully serve as "family doctor" unless its patients can communicate with the providers. This message was clearly conveyed to the Commission during the course of its public hearings. Numerous participants described hospital visits during which family members were unable to communicate their symptoms to available doctors. Some expressed confusion and fear when children or custodial staff were asked to serve as interpreters. Others related incidents at emergency rooms where elderly patients reverted to their first language as a result of physical or mental stress and were unable to communicate with hospital staff. The Commission's recommendations set out below focus on both the language and cultural barriers to the delivery of health services that Hispanics encounter.

Appoint Qualified Hispanics to Top Level Policy Making Positions at HHC

Hispanics rely heavily on the services provided by municipal hospitals for their health needs. More than 40 percent of inpatient discharges at Bellevue, Bronx Municipal, Lincoln, Metropolitan, North Central and Woodhull are Hispanic. In sharp contrast, only 8.7 percent of HHC's officials and administrators are Hispanic. This inconsistency must be resolved. Meaningful appointments of Hispanic professionals at top level policy and administrative positions are an important means of assuring that

HHC programs respond to the specific health needs of the Hispanic community. Those who decide policy set the tone for the agency and its employees. Without Hispanic participation at this level, culturally responsive programs are unlikely to be a top priority.

RECOMMENDATIONS

- * That HHC formally designate as a top priority the recruitment and placement of qualified Hispanics for high level policy making positions.
- * That HHC establish a formal selection panel of Hispanic health professionals to organize systematic recruitment of qualified Hispanic hospital administrators. The selection panel will be responsible for conducting searches for top level policy and administrative positions. HHC should provide the selection panel with resources to conduct thorough national searches, as well as searches in Puerto Rico and Spanish-speaking countries. The selection panel would submit resumes to HHC for consideration. HHC would then report to the panel on the decisions made on its recommended candidates.
- * That HHC make an active and continuous effort to recruit qualified Hispanic administrators by hiring professional recruitment agencies and formalizing its ties with Hispanic professional organizations.

Require That Hospital Affiliates Appoint Hispanic Physicians

HHC physician recruitment, residency training and retention programs are provided through affiliation contracts with teaching hospitals associated with each of its facilities. At present the affiliation contracts do not address the issue of recruiting and retaining physicians who are trained in culturally sensitive treatment techniques or who have the ability to serve the language needs of each hospital's catchment area.

Over the past three years, HHC has included the non-discrimination provisions of Executive Order 50 in its affiliation contracts to influence the hospital's recruitment efforts. This is an important first step, but HHC must go further. Affiliation contracts funnel over \$250 million to the teaching hospitals. HHC is, therefore, in a position to serve as a broker for Hispanic needs by demanding that tax dollars be spent in a fashion

that does not ignore the unique cultural and linguistic needs of the Hispanic community.

RECOMMENDATIONS

- * That HHC vigorously monitor the recruitment and retention of Hispanic medical students at the teaching hospitals it contracts with. That HHC scrutinize and approve the affiliates' equal employment opportunity efforts for medical students before it signs all affiliation contracts.
- * That HHC include specific provisions in its affiliation contracts to require that physician recruitment and placement reflect the language needs and cultural background of the clients in each hospital's catchment area.
- * That HHC scrutinize and approve the affiliates' equal employment opportunity efforts for medical residents before it signs all affiliation contracts.
- * That HHC and the City allocate funds to provide training for culturally sensitive treatment techniques and Spanish language skills to all physicians working in hospitals where 10 percent or more of the patients are Hispanic.

Appoint Bilingual Mental Health Professionals

There is an acute shortage of Spanish-speaking personnel at the City's psychiatric units. Elmhurst Hospital is a shocking example of this problem. Although 19 percent of all its admitted psychiatric patients are Hispanic, Elmhurst does not have one Spanish-speaking psychiatrist. HHC has attempted to solve this problem by using interpreters. These interpreters, however, are seldom trained professionals. Janitors, relatives of the patient, or other hospital employees are often asked to do the interpreting. This ad hoc system is hazardous to the patient. In addition to being put in a situation where they are often embarrassed and anxious, these volunteers frequently add and delete significant statements according to their own values, and thus can mistakenly distort information necessary for an accurate diagnosis.

Within the past two years, HHC has begun to explore alternative means of working with Spanish-speaking mental health patients. HHC has developed a pilot program to train bilingual, non-psychiatric staff at Bellevue in the skills of interpretation and psychiatric interviewing. The pilot program has been successful and will be expanded to all HHC facilities. While this is a valuable interim solution, HHC must not lose sight of the fact that this is no substitute for having bilingual mental health professionals. It must focus forcefully on the recruitment and placement of such staff.

RECOMMENDATIONS

- * That HHC, in conjunction with the City, formally designate the Hispanic population as a high priority for receiving care within the mental health system.
- * That HHC establish a formal selection panel of Hispanic mental health professionals to organize a systematic recruitment program for qualified bilingual and bicultural professionals in this field. HHC should provide the selection panel with resources to conduct thorough national searches as well as searches in Puerto Rico and Spanish-speaking countries. The selection panel should submit resumes to HHC for consideration. HHC should report to the panel on the decisions made on its recommended candidates.
- * That all municipal hospitals where Hispanic patients are more than 10% of the case load, be required to employ at least one Spanish-speaking psychiatrist and one Spanish-speaking psychologist in every inpatient and outpatient mental health unit.

Establish a Pre-Residency Program for Qualifying Foreign Medical School Graduates

The Commission believes that the nationwide matching program used for selecting hospital residents discriminates against qualified foreign medical school graduates who have already passed the FEMGEMS (the foreign medical students qualifying exam). This discrimination has a disproportionate impact on the Hispanic community, inasmuch as 60 percent of Hispanic physicians in New York City are graduates of foreign medical schools. Foreign medical school graduates are an invaluable resource that

can help alleviate the shortage of Spanish-speaking physicians in New York City.

RECOMMENDATIONS

- * That HHC establish a pre-residency training program at its institutions for Spanish-speaking foreign medical school graduates who have passed the FEMGEMS. This program could start as a pilot project in psychiatry for 15 qualified candidates selected through a competitive process. Those selected would participate in a year-long training program and receive a stipend. The goal of the pre-residency program would be to offer these candidates the clinical experience which would make them more marketable in the nationwide matching program. In addition, HHC must make a commitment to offer the top graduates of this program a residency at its hospitals. In return for this opportunity the residents will commit themselves to work at HHC hospitals with a large concentration of Hispanics for a two-year period.
- * That HHC establish an independent committee composed of State and City representatives and medical professionals to monitor the pre-residency program and to assist in the program's implementation.

Establish a Physician Assistant Program for Foreign Medical School Graduates

HHC can also benefit from the medical background and language capability of Hispanic foreign medical school graduates by establishing physician assistant programs at hospitals that service large Hispanic communities. It is estimated that there are about 500 physicians in New York City who have been trained in Latin American schools but who are not licensed to practice medicine in the United States. Physician assistants work under the strict supervision of a doctor and have direct contact with patients. Therefore, Spanish-speaking physician assistants can serve as a critical link between physicians and patients. In addition, the program brings Hispanic foreign medical school graduates back into the medical system and could assist them in assuming full roles as licensed physicians. HHC has already established a physician assistant training program in Harlem Hospital. This program accepts between 20 and 30 students each year. If a program of this magnitude is established for

Spanish-speaking foreign medical school graduates at each HHC facility with a need for Spanish-language personnel, HHC will go far toward meeting the needs of its Hispanic patients by bridging the gap between that community and the non-Hispanic medical facilities.

RECOMMENDATIONS

- * That HHC establish a pilot physician assistant training program at Lincoln Hospital and Woodhull Hospital with preference given to Spanish-speaking foreign medical school graduates.
- * That HHC establish an independent committee composed of State and City representatives and medical professionals to monitor the physician assistant training program and to assist in the program's implementation.

Increase the Use of Hispanic Paraprofessionals in Mental Health Clinics to Increase Hispanic Participation

The Hispanics in greatest need of mental health services are usually those who are underserved. In many instances, clinics treat only those individuals whom they believe will benefit most rapidly from treatment. This policy often results in the disenfranchisement of elderly, monolingual Spanish-speakers and inner-city residents. The City's health agencies must develop special projects to bring the neediest populations into the clinics and to maintain their motivation during treatment. Los Angeles has developed outreach programs which should be adopted by the City.² The Los Angeles program uses indigenous paraprofessionals to explain to clients what psychiatrists and psychologists do. These paraprofessionals also serve as "culture brokers" for psychiatrists, psychologists and other staff treating the targeted population. These programs have increased the participation of targeted groups.

²See, Acosta, F., Cristo, M., "Development of a Bilingual Interpreter Program: An Alternative Model for Spanish Speaking Services," 12 Professional Psychology, 474-482 (1981); Acosta, F.X., Evans, L.A., Yamamoto, J. and Wilcox, S.A., Helping Minority and Low Income Psychotherapy Patients "Tell It Like It Is," 7 The Journal of Biocommunication 13-19 (1980).

RECOMMENDATION

- * That HHC research and adopt the Los Angeles program which uses bicultural/bilingual paraprofessionals to bring the neediest segment of the Hispanic population into the mental health clinics and to maintain their motivation during treatment.

Establish a Hispanic Research and Training Center

Research findings demonstrate that the mental health needs of many Hispanics are not met by traditional institutions and methods of treatment because of factors such as language discrimination and the middle-class orientation of treatment. The problem is further compounded because the skills required to work with Hispanics are often neglected or underemphasized in training mental health professionals. HHC and the Department of Mental Health must work together to ensure that its mental health staff develops therapeutic skills that are responsive to Hispanic culture.

RECOMMENDATIONS

- * That HHC and the Department of Mental Health fund the creation of a Hispanic Research and Training Center at one of its affiliate hospitals. The purpose of the Center would be to focus on:
 1. Evaluation and research on the effectiveness of alternative therapeutic modalities within the Hispanic population. Research that encourages the development of alternative diagnostic models and therapeutic techniques is an essential component of a vigorous effort to treat the Hispanic population.
 2. Training HHC personnel on the most effective approaches to treating Hispanic populations including techniques oriented towards coping skills and problem solving. Training is particularly important for non-Hispanic personnel.
- * That the City introduce its successful programs to other HHC facilities. The Roberto Clemente Family Guidance Center is a highly successful demonstration project operated by Gouverneur Hospital and funded by the Department of Mental Health. The Center should be used as a model and possible training site for additional clinics throughout communities with a high concentration

of Hispanics. As a result of its discussion with the Commission, HHC has reported that it hopes to establish a similar program in the Bronx.

Expand Efforts to Stop the Spread of AIDS

As of October 30, 1986, 23 percent of all persons with AIDS were Hispanic. In addition, 32 percent of AIDS pediatric cases in New York City were Hispanic. These figures are steadily rising. The spread of AIDS can be halted only through effective mass education. The equitable distribution of resources and the development of appropriate services for all New Yorkers can significantly reduce the devastating effects of this disease within the Hispanic community.

RECOMMENDATIONS

- * That funding be allocated to wage a massive bilingual public education campaign about AIDS that is aimed at the Hispanic community. That original Spanish-language materials be developed and disseminated utilizing the existing Hispanic communication and support system.
- * That community organizations, such as the Hispanic AIDS Forum, be consulted regarding the development of policies and the allocation of funding for programs to address the AIDS epidemic.

Establish Bilingual Alcoholism Services

Alcohol abuse is a significant health problem within the Hispanic community. Literature in the field reports a greater prevalence of alcohol use and abuse among Hispanic males than in the general public. In addition, Hispanic males seem to have greater than average rates of alcohol related problems. On the other hand, Hispanic women use alcohol less frequently than women on the average and have lower than average rates of alcohol related problems. A 1984 New York Division of Alcoholism and Alcohol Abuse survey shows that, in spite of the documented problem among Hispanic males, only 22 percent of those in treatment programs in New York City are Hispanics. The New York City Department of Mental Health, Mental Retardation and Alcoholism Services acknowledges that

"strong cultural doctrines and often illegal alien status has prevented members of the Hispanic community from taking full advantages of the alcohol service system".

The problems associated with alcohol abuse have been estimated to cost the United States economy \$116.7 billion annually and the New York State economy \$8 to \$10 billion annually in lost productivity, absenteeism, violent crime, and automobile accidents. Alcohol kills about 98,000 people a year, approximately 50,000 of those are in automobile accidents. Moreover, there are well documented links between alcohol abuse and other health problems, including ulcers, cirrhosis of the liver, fetal alcohol syndrome, and cancer of the esophagus. Several studies show that deaths from cirrhosis of the liver, an indicator of alcoholism, is higher among Hispanics than in the general public.

RECOMMENDATIONS

- * That alcohol abuse be covered in all Board of Education anti-drug programs. That this curriculum be incorporated into bilingual programs.
- * That culturally relevant and Spanish-language alcoholism services oriented towards Hispanics be expanded to meet the needs of alcoholics and their families. That these programs focus on the high incidence of alcoholism among Hispanic men.
- * That New York City Department of Mental Health, Mental Retardation and Alcoholism Services contract with Hispanic community based organizations to provide outreach services to the Hispanic community.
- * That City agencies increase Spanish-language advertisements of alcoholism services and expand Spanish-language campaigns against drunk driving.

Consolidate Data on Hispanic Health in New York City

Conferences the Commission held with numerous officials in New York City's health care system indicate that public policy and practice in the delivery of health care to Hispanics is not based on research or data. Although each component of the City's health system maintains data, there

is no comprehensive and systematized procedure to collect and collate the vast array of different data sets now scattered throughout the system. For example, the Department of Health's Bureau of Health Statistics and Analysis maintains data on infant and maternal mortality, live births, and major causes of death; the Health and Hospitals Corporation collects information on inpatient and outpatient admissions; the Human Resources Administration has data on pregnancy and welfare dependency; and the Office of Mental Health collects data on admissions and current patients.

Despite the existence of this rich mine of information, we have no accurate and complete portrait of the state of health of Hispanics in New York City because there is no procedure to unify and interpret this information. There is a pressing need to bring together all of this available data so that the City can create and implement an informed public policy and practice relevant to Hispanic health issues.

RECOMMENDATION

- * That procedures be institutionalized to consolidate health statistics concerning the City's Hispanic population. This could be implemented by contracting with an independent research organization which would publish periodic reports using the available data bases.

CHAPTER 8 CRIMINAL JUSTICE

During its public hearings, and in discussions with community groups and City officials, the Commission learned of a variety of problems which involve the City's Hispanic communities and the City's criminal justice system. Among these, three areas of concern were foremost: drug abuse in the Hispanic community, the limited availability of victim services, and Hispanic representation in the Police Department. Because of the extent of concern expressed to Commission members, this chapter directs its attention to those aspects which the Commission members feel have not received sufficient attention. The Commission is cognizant of other pressing issues such as prison overcrowding and probation, and does not intend to diminish their importance by not addressing them in this report.

Increased Steps Must be Taken to Treat Heroin and Cocaine Addiction Among the City's Hispanic Population

Since the latter part of 1985, the media and elected officials have brought national attention to the problem of drug abuse. The cocaine trials of prominent celebrities and the drug-related deaths of two professional athletes riveted public attention. In addition, the use of crack, a more potent yet affordable derivative of cocaine, proliferated and increased popular alarm. A recent New York Times/CBS poll found that the number of Americans citing drugs as the number one public concern rose from 2 percent in April 1986 to 13 percent in August 1986.

This is not the first time drug abuse has seized the public's attention. Periodically, when new drugs such as crack hit the streets, political leaders and others hastily assemble plans to "solve" the problem. Ambitious legislation and large sums of money are appropriated. Invariably, however, the concern dissipates with time. Promised programs are either forgotten or halfheartedly implemented as budget expenditures drop in tandem with the inches of newsprint devoted to the topic. The

rise and fall of the federal and State commitment to treatment and education regarding heroin and other drugs illustrates this point.

To those Commission members who have long been involved in the criminal justice system, or who have worked with troubled Hispanic youth, this concern over drugs is familiar. Drug abuse has been a major problem in our communities for decades. Citing the opinions expressed by social scientists, government officials, and medical experts, The New York Times noted that "[w]hile the effects of illegal drugs were severe in 1986, experts say the problem has been bad for decades." According to the New York State Department of Correctional Services, approximately 66-70 percent of Hispanics in New York State prisons are incarcerated for drug or drug-related crimes. The quality of life in Hispanic neighborhoods continues to be downgraded by crimes perpetrated by those seeking money to buy drugs. In fact, violence in many Hispanic communities is on the rise as drug dealers battle over territories which they view as "opportunity zones" for drug sales. Innocent people who get in the way of these turf wars are harmed. The Hispanic community is forced to deal with the physical, spiritual, and mental deterioration of their relatives, friends and neighbors.

Mayor Edward I. Koch, Commissioner Benjamin Ward, Representative Charles Rangel, Representative Robert Garcia, and others have publicly responded to this challenge. The Commission's recommendations in this area focus on solutions that are not adequately addressed by the current range of proposals. The recommendations also focus on the State rather than the City, because it is the main source of funding for drug treatment and rehabilitation facilities in the City.

Increase of State Funding of Methadone Treatment Centers

There are approximately 500,000 heroin addicts in the United States. Of them, 200,000 are in New York City. While it is true that those who are beginning to use drugs may be turning to crack, heroin use is still the major source of criminal activity in Hispanic neighborhoods; heroin "shooting galleries" in Hispanic neighborhoods are still in full operation. In addition, heroin addiction presents serious public health concerns. The

sharing of needles among heroin users is a major vehicle for the spread of AIDS. While ultimately the number of heroin users may decline as the popularity of other drugs grows, their danger as transmitters of AIDS will only continue to expand unless treatment programs and methadone maintenance clinics are expanded.

The State's major shortcoming in this area is its failure to fund sufficient methadone programs in New York City: according to the New York State Division of Substance Abuse Services, as of November 14, 1986, there were 1,337 addicts on waiting lists for residential drug-free programs and 842 addicts wait-listed for ambulatory methadone maintenance programs in New York City. On any given day, there are long lines of heroin addicts waiting outside some methadone maintenance centers. The Commission believes that the failure to expand such treatment facilities is nothing short of criminal. There is an understandable rage within the Hispanic community when we hear political leaders speak dramatically about the horrors of drug abuse while they knowingly allow existing methadone programs to limp along with inadequate funding.

Mayor Koch has offered to make additional hospital sites available for methadone programs. Governor Cuomo has yet to respond publicly to these offers for assistance. The simple fact is that more funds are needed and are not being provided. While arresting and rearresting drug users may gain headlines it does little to remove this terror from our streets. If there is an answer, it lies in a long-term commitment to treatment efforts.

If the State must continue its reliance on heroin substitutes, it should also explore the use of other, possibly more effective, drugs such as LAAM (Levo-Acetyl Methodol), a type of methadone with longer lasting effects. LAAM requires less doses to sustain the patient and could help to reduce the long lines outside methadone clinics.

RECOMMENDATION

- * That local public officials urge the Governor to expand the number of methadone treatment centers throughout the City and experiment with alternative drugs to accommodate those on waiting lists.

Provide Drug Therapy to Heroin and Cocaine Addicts in Prison

The need for additional treatment programs extends to State prisons. According to the State Hispanic Inmate Needs Task Force, drug and alcohol abuse are the major health problems of Hispanic inmates. While the New York State Department of Health contracts to provide detoxification services to inmates when they enter correctional facilities, very little follow-up treatment is rendered and many return to drugs shortly after "drying out" either in prison or upon return to the community. Unless medical personnel recommends further therapy, the burden is left on the inmate to request it. The Commission believes that such therapy should be mandatory.

RECOMMENDATION

- * That prison medical facilities monitor inmates who have received medical attention for drug abuse over an extended period of time to provide the necessary therapy to lessen the chances that the prisoner will revert to drug abuse in prison or after release.

Expand Drug-Free Treatment Programs for Heroin Addicts

In addition to expanding available maintenance treatment centers, the State must also explore alternative treatment methods. As noted above, the State's primary form of treatment for heroine addiction is methadone. Many people consider methadone an extremely cynical "treatment" which merely substitutes one addiction for another, and that ideally it should only be the treatment of last resort. Despite its serious drawbacks, methadone remains the "treatment of choice" because the State has not been willing to fund the more expensive drug-free treatment programs. These programs usually involve residential facilities offering counseling and psychotherapeutic components. There are drug-free treatment programs for the poor, but the numbers able to gain admission are insignificant compared to the need. There are very few treatment programs aimed at Hispanics. The failure to expend more funds for drug-free treatment facilities focuses too much on short-term costs while ignoring long-term direct and indirect savings through such treatment alternatives.

If money is the sole problem, the Commission recommends that money seized during drug raids be dedicated to the expansion of drug-free treatment facilities. Such a policy will require an expansion of existing state and possibly federal legislation which provides for a different method of allocating funds. Currently, for example, in a pre-forfeiture action, state law provides for 50 percent of these funds to go to drug treatment, 25 percent to drug law enforcement, and 25 percent to drug education. In a post-conviction forfeiture action, 25 percent of the funds go to the locality for law enforcement and 75 percent to the general fund. The Mayor should actively seek support from State legislators and officials to introduce legislation to allocate funds seized in post-conviction forfeiture actions similar to the fund allocation in pre-conviction forfeiture actions.

RECOMMENDATIONS

- * That the City and State Departments of Health institute experimental programs to significantly expand drug-free treatment alternatives for heroine addiction which remains cognizant of cost limitations.
- * That the Mayor propose legislation to ensure that assets seized from drug dealers in post-conviction forfeiture actions be divided in similar fashion to those in pre-conviction forfeiture actions.

Regularly Monitor All Drug Prevention Programs in Schools

The City and the Board of Education have started to expand the educational efforts aimed at discouraging adults and children from using drugs. One such program is the School Program to Educate and Control Drug Abuse (SPECDA), which is sponsored by the Police Department and the Board of Education and is targeted at fifth and sixth graders. The educational component is accompanied by stepped up police enforcement. SPECDA has been judged a success by a team of evaluators from the John Jay College of Criminal Justice based on increased student awareness concerning drug abuse, the appropriateness of the curriculum, and student attitudes about drugs. For example, school principals have noted an increase in student reports of drug pushers in immediate school areas.

This program is expected to expand to all school districts by February 1987.

Not all programs, however, are successful. Recent studies indicate that some drug prevention classes may be encouraging adolescents to experiment with drugs. (See New York Times, September 17, 1986) The Commission has been assured by the Board of Education that it only uses models that have tested to be effective and that are based on State guidelines. The Board also informed the Commission that an independent evaluation of all drug programs in the 32 school districts and in the high schools will be issued in May 1987. The Commission was disappointed to hear that such an effort was commenced so late considering the possible repercussions of a poorly designed program.

RECOMMENDATION

- * That Board of Education and the City evaluate on an annual basis the implementation of all drug prevention programs in the schools to ensure that they in fact, produce positive results and do not encourage experimentation with drugs.

Create Local Working Group to Monitor Adequacy of State Funded Drug Treatment Efforts for Crack and Cocaine Use

New York City has become the focal point of a national problem -- the availability and use of crack. Crack is a potent and inexpensive form of cocaine. The problem is so widespread in New York City that 29.2 percent of all homicides taking place within the first six months of 1986 were reported to be crack or cocaine-related. Equally alarming is the fact that drug dealers seem to be focusing on the City's youth: approximately 65 percent of all drug arrests take place near schools. A study of teenagers, conducted by the Cocaine Hotline in October 1985, revealed that 57 percent of those surveyed bought most of their drugs at school.

While much attention is being directed at enforcement and education, there are many children, adolescents, and adults in Hispanic communities already addicted to cocaine and crack. It is clear, however, that State

social service agencies do not know enough about the nature of crack addiction to determine the effectiveness of different treatment programs. Unlike heroin addiction, there are no substitute drugs which can be given to these addicts to wean them away from the use of crack. A survey by the Commission of different drug treatment programs in the City found that the most effective means to treat cocaine/crack addiction is an intensive 12 to 18 month residential treatment program consisting of psychotherapy, individual and family counseling, and group encounters. For low-income persons who cannot afford to pay for expensive private residential clinics, the alternative has been to wait for months to get into one of the few publicly funded residential programs. Efforts must be made to expand less expensive treatment programs for low-income adolescents and adults.

RECOMMENDATIONS

- * That the City lobby the State to expand funding to treatment centers for cocaine and crack users in order to accommodate those on waiting lists.
- * That the Mayor create a working group of law enforcement officials, health specialists, substance abuse treatment experts, and other relevant professionals to monitor the adequacy of State funds appropriations for drug treatment and prevention, and to advise the Mayor on tactics to enhance treatment efforts in the City.

Urge Military Drug Interdiction and Narcotics Control

The United States is the world's largest consumer of illegal narcotics. In response to the drug epidemic in this country, the Federal government recently enacted the Anti-Drug Abuse Act of 1986. The Act establishes new federal programs in enforcement, treatment and rehabilitation, and education; a total of \$1.7 billion has been budgeted to combat the drug problem. The Commission considers this a positive step in developing a comprehensive plan to address this issue. Unfortunately, this Act does not spell out the details of how the funds will be distributed or how the programs will be implemented.

Most of the illegal narcotics in this country enter by way of small planes and vessels. Although, the Anti-Drug Abuse Act of 1986 provides for purchasing military hardware as well as for increasing the number of Coast Guard units assigned to drug interdiction, there is no provision for direct use of the military to assist local and State authorities in the fight against international narcotics trafficking. The Secretary of Defense and the Army oppose use of the military in drug interdiction on many grounds including that this is a civilian law enforcement issue. However, the Commission feels that only by mobilizing all of the resources of the Federal government can we hope to curtail the flow of illegal drugs across our borders.

It is crucial to cut drug supplies off at the source. Mayor Koch was an early advocate of conditioning foreign aid on drug control by those countries that export narcotics. In some instances, entire governments -- many of which receive foreign aid from the United States -- have been implicated in drug trafficking. The Anti-Drug Abuse Act of 1986 makes an attempt at penalizing major illicit drug-producing and drug-transit countries by imposing limited aid restrictions. These include withholding 50 percent of United States assistance and requiring that United States representatives to the multilateral development banks vote against loans or other assistance to each major illicit drug-producing or drug transit country. The Act does not specify when these sanctions will or will not be applied.

RECOMMENDATIONS

- * That the City continue to urge the Federal government to modify the Posse Comitatus doctrine which restricts the use of the military in civilian law enforcement for the purpose of drug interdiction by the United States military at the borders.
- * That the City lobby Federal legislators to redraft the provisions of the Act which restrict United States aid to any country involved as a primary world supplier of drugs.

Expand Services to Hispanic Victims of Violence

Many Hispanics who are victims of crime feel alienated from the services and assistance provided by the criminal justice system. Hispanic isolation from the system is caused by language barriers, cultural differences, and a general fear of government based on experiences in their native countries. The result of all of this is that crime victims in Hispanic communities are often the least likely to report the crimes and the least likely to take advantage of existing victim services programs. This is especially true of Hispanic children who are victims of violence in the City schools and of Hispanic women who are victims of domestic violence.

The Victim Services Agency (VSA) plays an invaluable role in addressing the needs of those people most often ignored in the criminal justice system -- the victim. VSA has developed many effective programs that focus the crime victim's specific needs. After meeting with representatives of VSA and reviewing its literature, the Commission is convinced that VSA's efforts need to be expanded to address even more effectively the needs of all crime victims, especially those in the Hispanic community.

Ensure that Crime Victims Are Informed by the Police Department of Services Available Through the Victim Services Agency

Victims of crime must be told about the existence of VSA. The Police Department is often the only City agency that has contact with crime victims, but police officers frequently neglect to provide information regarding VSA services to crime victims. The Police Department has agreed to expand its distribution of the Crime Victims Hotline Card to victims of domestic violence and others. This "agreement" was largely the result of State legislation specifically covering the victims of domestic violence. The Hotline Card includes a telephone number which is operational 24 hours a day.

VSA staff informed the Commission that there have been efforts in the past to have the Police Department distribute similar information to victims, but that typically these efforts lessen and effectively cease over time. Officers soon forget to provide this vital information to victims. While at

the scene of a crime this may seem to be a somewhat ministerial function, its importance cannot be underestimated. To ensure that this new effort does not go the way of prior victim services initiatives, the Police Department should monitor compliance. The failure to distribute information, in both Spanish and English, concerning the Crime Victims Hotline should be a violation of the Police Department's Patrol Guide. If the problem continues, however, the City Council should pass legislation mandating that the information be delivered to each crime victim.

RECOMMENDATION

- * That the Police Department mandate officers to distribute the bilingual Crime Victim's Hotline Card to all victims of crime. The card serves to put all victims in contact with the wide variety of services offered by Victim Services Agency. The failure to do so should be deemed a violation of the Patrol Guide by the Department.

Expand Victim Services Agency Presence in Hispanic Schools

Increasing incidents of school crimes have had a negative effect on the willingness of many Hispanic children to attend school. The Commission has reviewed studies indicating that fear of crime is a contributing factor to absenteeism and the high dropout rate. In response to the increase in school crime, VSA initiated the School Victims Assistance Project (SVAP). The main focus of the program is to provide direct services to school crime victims and to raise student and staff awareness of crimes. The program was so successful as a pilot that School District 5 allocated its own funds to expand the program to several other schools within the district. The crime wave in our schools warrants increased City funding for the expansion of the program to those schools with the highest levels of crime. Special emphasis should be placed on predominantly Hispanic schools because, as described above, this population is less likely to seek police aid.

RECOMMENDATION

- * That the City increase its funding of the School Victim's Assistance Project so that the Victim Services Agency

can expand the program to those predominantly Hispanic schools with the highest incidence of crime.

Expand Services to Domestic Violence Victims

As victims of domestic violence, many women are unaware of their rights and are fearful that any steps they take to protect themselves and their children will further exacerbate their precarious situation. And, in spite of domestic violence, many women remain in this situation because they are financially dependent on their spouses or because they believe in the importance of raising children with a man present in the home. The problem of domestic violence is not helped by the same situation Hispanics encounter elsewhere from service agencies: cultural isolation and language barriers. Further, the Commission was informed that many Latin American immigrants are not even aware that domestic violence is a crime.

Those women and their children who do seek help often must move out of their homes. They are then confronted with a shortage of shelters for battered women and a 90-day limitation on the length of stay. At present, the City contracts with only eight City shelters for battered women totalling 386 beds. The housing crisis in New York City underscores the need for waiver of the 90-day limitation. According to Aegis, a multiservice shelter for battered women, 50 percent of women in the shelter during 1981-83 were able to secure their own leases; in 1986, that number dropped to 27 percent. The Commission recognizes that extending the stay results in less room available for other battered women and that temporary shelter for many groups has placed enormous strains upon the City's resources. There may be however, a wider range of housing alternatives for battered women. For example, the City should investigate finding volunteer families or individuals who may be able to offer shelter for a short period. In addition, police officers should advise victims of domestic violence of their right to obtain an Order of Protection and if eligible where to obtain free legal assistance.

One program that has begun to address the problem of domestic violence successfully is the joint operation of VSA's Domestic Violence

Prevention Program (DVPP) with the Police Department. DVPP identifies families at risk of domestic violence and initiates telephone contact with the parties involved, informing them of the law and of available counseling and social services. Early intervention services provided by teams of counselors and police officers can help prevent further escalation of domestic violence. Based on the successes of DVPP, the program should be expanded to precincts in Hispanic communities and advertise more extensively through the Hispanic media.

RECOMMENDATIONS

- * That the City lobby the State Commissioner of Social Services for an extension of the 90-day limitation on length of stay in shelters for battered women, explore alternatives shelters for these women, and find a way to help them to reclaim their homes.
- * That broader dissemination of information within the Hispanic community regarding the rights of battered women be a priority. This can be done by public service announcements in Spanish utilizing radio, television, and print media.
- * Expand VSA's Domestic Violence Prevention Program to more Hispanic communities.

Expand Bilingual Precinct Receptionist Program

As a result of neighborhood concerns over the relationship of the police to the community, the Precinct Receptionist Program was initiated in 1968 under the auspices of the Police Department. The program employs individuals from the community at local precincts as facilitators/translators with duties that include making referrals to social service agencies, homeless shelters, and other crisis intervention centers. These people help make the precinct an integral part of the community by directing residents to a wide variety of sources including VSA. As a result of the City's fiscal crisis and a change in the funding source, there are presently only 33 receptionists, down from a high of 68 in 1975. There is a clear need to increase these services.

RECOMMENDATION

- * That the bilingual Precinct Receptionist Program be expanded to each precinct with a Hispanic population of at least ten percent.

Concrete Steps Must be Taken to Address Concerns of Hispanic Police Officers Regarding the Fairness of Entrance and Promotional Examinations

During its hearings and informal meetings, the Commission received input from Hispanic and non-Hispanic members of the Police Department, as well as concerned citizens, regarding the Police Department's fairness to the Hispanic community. From Hispanic officers concerns were heard on a variety of issues, including entry-level and promotional testing, their role as Spanish-language interpreters and translators, and the recruitment of Hispanic officers.

In conversations with the staff of the Mayor's Advisory Committee on Police Management and Personnel Policy, chaired by John E. Zuccotti, it became apparent that the Mayor's Advisory Committee is addressing these concerns. Further, in discussing the direction of the Advisory Committee's recommendations prior to formal release, there was little doubt that the Commission and Advisory Committee were in general agreement as to the solution to these problems. Therefore, after a careful review of the preliminary report of the Advisory Committee and extensive discussion with staff members (see Preliminary Report: The Mayor's Advisory Committee on Police Management and Personnel Policy (November 10, 1986)), the Commission wishes to endorse and underscore several of the Committee's conclusions and recommendations.

Testing for Selection and Promotion of Police Officers Must be Improved to Ensure High Standards and Fair Representation of Hispanic Officers

The Advisory Committee found that the civil service system for both promotional and entry-level testing is ". . . archaic, rule bound, uninformed, and unimaginative." The Courts repeatedly have found the system to be discriminatory toward minorities, which has led to challenges and the imposition of racial quotas by the courts. While the use of quotas

is extremely demoralizing to members of the force, the Commission cannot overemphasize the importance of an integrated police force. The Advisory Committee noted that:

[a] department not representative of the community it serves can neither understand the community nor sufficiently promote the confidence needed to serve it well. Racial [and ethnic] diversity within the Police Department goes beyond the issue of justice or the law. It has a very real impact on the quality of service and it determines the kind of relationship the police will have with the public.

While at the 1980 Census the City's population was 19.9 percent Hispanic, Hispanic representation in the Police Department is only 9.9 percent in 1986. The underrepresentation of Hispanics at both the entry and supervisory levels is a serious matter which the Police Department must urgently address. This includes improving the testing for selection and promotion of police officers to ensure the quality of applicants and an increase in the representation of minorities in every rank. The Commission endorses the Advisory Committee's recommendations that written examinations be on job-related technical knowledge only limited to that documented in a concise reading list made available to all candidates; that New York City residents be given additional points on the written examination in order to increase the possibility that minority candidates are successful; and that job skills play a more significant role in promotional decisions to the level of lieutenant and captain.

The Police Department should articulate what it believes to be the performance skills needed to hold each promotional rank. These skills should then serve as the basis for testing through interviews by a newly established Assessment Center -- a system that has been found to reduce the disparate impact of job testing on Hispanics.

RECOMMENDATIONS

- * That the Department of Personnel and the Police Department continue in their efforts to devise entry-level and promotional examinations that are job-related. The Commission recommends that modern methods of assessing skills for promotional purposes be explored. In addition, the Police Department should provide those who take the exam with a reading list of materials actually used to devise the examination rather than the current long, and often unfocused, list of recommended reading.
- * That, to enhance the likelihood of more Hispanics becoming police officers, additional points should be given on all examinations to New York City residents.

Study Why Disproportionate Numbers of Hispanics Are Excluded from Service Because of the Psychological Examination

A disproportionate number of Hispanic candidates are eliminated from the hiring and promotion process as a result of the current battery of psychological screening examinations. Of those who passed the entry-level written exam in 1982, 17.6 percent of the White candidates were disqualified through psychological screening, while 27.8 percent of Blacks and 25.7 percent of Hispanics were disqualified. The Advisory Committee was unable to justify the differences by reference to the validity or appropriateness of the testing instruments used. The Commission agrees with the recommendation that all psychological screening procedures be thoroughly reviewed by a group of professionals capable of assessing cultural biases in such testing.

RECOMMENDATION

- * That present psychological screening practices be reviewed to understand why such a significant number of Hispanics are being rejected on this basis and so that all cultural biases are eliminated from such procedures.

Provide Civil Service Examination Credit to Police Officers For Spanish-Speaking Abilities

Police officers frequently are called upon to provide interpreting translation services. However, many object to providing this service

because it deprives them of opportunities to do the work which counts towards their promotion and achieves better evaluations. This issue is discussed in more detail in the chapter on language services, where specific recommendations are made. The Commission does recommend that those police officers who demonstrate an oral proficiency in Spanish be given points on the entry-level examination for police officers. Such preferential treatment is based on the needs of the large number of Spanish-speaking persons which the Police Department services each year. Such a certified skill is especially important given that when dealing with emotionally disturbed people or in cases involving domestic violence where only Spanish is spoken, inaccurate translations can have extremely serious consequences.

RECOMMENDATION

- * Given the ongoing critical need for Spanish-speaking police officers, additional points should be provided to applicants on promotional examinations who are orally competent in Spanish.

Expand Recruitment Efforts at City Colleges

The Commission also agrees with the Advisory Committee finding that present police recruitment efforts must be enhanced to reach out to more Hispanics. Extensive use of the media as well as direct contact with the community are necessary if more Hispanics are to be recruited. In addition, the Police Cadet Corps which recruits college students as future police officers needs to be expanded. Preliminary recruitment results are encouraging, with Hispanics comprising 18 percent of the first Police Cadet class. Recruitment efforts on college campuses in New York City must be intensified in order to improve the diversity and quality of the applicant pool. City University, for example, is a logical recruitment source where more than 50 percent of the bachelor degree students and 75 percent of the associates degree students are drawn from Black, Hispanic, and other minorities.

Further, more Hispanics should be used as recruiters. This is especially important given the recent departure of Assistant Deputy

Commissioner Joseph Ramos as head of the Department's recruitment unit. The expansive recruitment efforts which he began must be continued and enhanced.

RECOMMENDATION

- * That Police Department recruitment efforts for Hispanics be continued and significantly expanded to include New York City schools with significant minority enrollment.

CHAPTER 9

DELIVERY OF CITY SERVICES

The City provides a wide range of services which, if properly utilized by the Hispanic community, could meaningfully address many of the problems highlighted throughout this report. Yet, as the Commission's public hearings indicated, many Hispanics believe they do not have equal access to services and that City agencies are not responsive to the demands and needs of their community. This chapter addresses the issue of Hispanic access to City services by examining the processes and practices by which City agencies deliver those services.

The Commission asked seventeen City agencies (16 Mayoral and 1 non-Mayoral) to submit comprehensive reviews of their services to Hispanics. The agencies were chosen in response to comments at the Commission's public hearings and the Commission's knowledge of the agencies that provide essential health and human services or important quality-of-life services. In response to a Commission questionnaire (see Appendix 2), agencies submitted reports which staff reviewed and distributed to the appropriate Commission subcommittee. In a number of cases, the agencies were asked to provide supplementary material. The agencies were:

- Department for the Aging
- Department of Consumer Affairs
- Department of Correction
- Department of Cultural Affairs
- Department of Employment
- Fire Department
- Department of Health
- Health and Hospitals Corporation *
- Housing Authority
- Department of Housing Preservation and Development
- Human Resources Administration
- Department of Juvenile Justice
- Department of Mental Health, Mental Retardation and Alcoholism Services
- Department of Parks and Recreation
- Police Department
- Department of Probation
- Department of Sanitation

* non-Mayoral

In addition to the findings of the review presented below, copies of the agencies' submissions are appended to the report (Appendix 3). Because much of the necessary data is not available, the review does not provide either definitive answers or specific agency-by-agency recommendations. However, the Commission was able to highlight major areas of concern in the delivery of City services to the Hispanic community.

Efforts by the City to Ensure that Services are Accessible to Hispanics Are Generally Ad Hoc and Reactive Rather Than Systematic

With a few exceptions, agencies were slow in responding to the Commission's request for a review of their services and, as the submissions illustrate, many of them lacked substance.

The Commission found that the City's efforts to ensure that services are accessible to Hispanics are generally ad hoc and reactive rather than systematic. Instead of agency-wide policy decisions based on the needs of Hispanic clients, such efforts are usually the result of initiatives by line staff and program directors faced with the immediacy of a large and needy Hispanic clientele, or they are corrective actions in response to specific complaints requiring immediate attention. The Department of Employment, and to a lesser extent the Department of Consumer Affairs and the Department for the Aging, were the only agencies to address the structural barriers to Hispanic participation through strategies that reached into all aspects of agency service delivery.

There is little doubt that many City agencies are laboring under the burden of limited funds and resources. Limited resources, however, should not be an excuse for practices which have the effect of denying essential services to Hispanics. Agencies with programs that cannot service all their eligible population often do little advertising or outreach, claiming that they could never handle the increased volume of work. As one example, the previous Administrator of the HRA was quoted as declaring that "unmet need is irrelevant" (The New York Times, 11/12/86). Such an approach does not consider its discriminatory effect on recent

migrants and immigrants, those with limited English, and those with the fewest resources -- primarily the Hispanic community. Many Hispanics know little about the City's services and are the least likely to be able to take advantage of them.

Despite this general lack of systematic responsiveness to the needs of Hispanics, there are a few agencies that have taken considerable initiatives. The Department of Employment (DOE) has set a good example for other agencies' efforts in delivering services to the Hispanic community. DOE combines research, outreach efforts, and contracts with Hispanic organizations to ensure that Hispanics are represented among DOE's clients in equal proportion to their representation in the target population of unemployed. Although the DOE is only able to serve 3 percent of the population eligible for its services, Commissioner Bustelo stated: "We must ensure that even if we can serve only a small percentage of those eligible, at least every segment of the eligible population is equitably represented in the programs."

The Department of Consumer Affairs (DCA) has also made comprehensive efforts to ensure that its services are used by the Hispanic community. The DCA has a separate hotline for consumer complaints in Spanish, an agency-wide listing of staff with foreign language skills, numerous Spanish translations of its publications, regular consumer advice columns in Hispanic newspapers, and an Assistant to the Commissioner designated to work directly with Hispanic businesses.

The Department for the Aging (DFTA), at the urging of community organizations, has recently completed a Minority Enhancement Project designed to ensure that Hispanic elderly have access to DFTA and DFTA-funded projects, and has recently established a Spanish-speaking information hotline. In addition, the DFTA published a research document on the Hispanic elderly and has instituted a Client Reporting System which will enable it to compare the characteristics of its client population with those of the eligible population.

Other agencies' initiatives are more sporadic and less defined. Some examples are: the Housing Authority employs an interpreter in each of its eight district offices and sends all notices to tenants in both English and Spanish; a research document, Housing for Hispanics in New York City, was prepared by the Office of Policy Analysis of the Department of Housing Preservation and Development; the Roberto Clemente Family Guidance Center, a unit of the Health and Hospitals Corporation's Gouverner Hospital, provides crisis intervention, home visits, community networking, and advocacy services to a Hispanic neighborhood on the Lower East Side; the Police Department's "911" emergency telephone number has Spanish-speaking operators on all shifts; the Health Department's nutrition program produces a weekly newspaper column in Spanish and airs spots on Spanish radio; the Human Resources Administration is currently developing a language access plan for all its programs. Appendix 3 chronicles in more detail the initiatives of all 17 agencies.

The Commission has identified a number of major problem areas in the delivery of services to the Hispanic community which suggest the need for a fundamental change in the way City agencies conduct their "business" with the Hispanic population. These areas are: the lack of an agency-wide effort to collect statistics on the Hispanic community; the unequal level of service that Hispanics, as clients of City agencies, receive; the small number of City contracts given to Hispanic organizations; the inadequate representation of Hispanics on policy committees and boards in City agencies; and the unsatisfactory level of information and outreach to the Hispanic community regarding available services.

Two other issues of great concern to the Commission are covered in other chapters in this report: the underrepresentation of Hispanics in the work force of City agencies and language services -- the use of bilingual staff, interpreters, and translators by City agencies. While Chapter 6 treats the underrepresentation of Hispanics in the City work force as an issue of equal employment opportunity for Hispanics, it is also a service-delivery issue. The absence of Hispanics in public contact and higher management positions in City agencies is a major barrier to

developing practices, policies, and programs that are sensitive to the problems of the Hispanic community.

Chapter 10 addresses the issue of language services. The Commission believes that efficient, professional language services are the foundation on which agencies must build their service delivery to the Hispanic community. If agencies do not have sufficient bilingual staff, and if information and forms are not translated into Spanish, many Hispanics will be prevented from making full use of City services.

Require that Service Oriented City Agencies Keep Statistics on Clients by Race and Ethnic Background and Language Spoken at Home

Statistics on the proportion of Hispanics among the clients of an agency are an essential tool in planning for service delivery, yet agencies are not systematically collecting such data. Without data on the racial/ethnic background of the clients, agencies cannot verify whether their services are reaching Hispanics or ascertain their need for bilingual staff and translated material. Only one agency, the Department of Employment, both compiles statistics on the ethnic/racial background of its clients and conducts regular independent research to determine the characteristics of the wider population eligible for services. The DOE is the only agency that could confidently state, and prove, that Hispanics were equally served by the agency's programs. In addition, the Sanitation Department was able to demonstrate that, because Hispanic areas¹ had lower "scorecard" (cleanliness) ratings, they were assigned more sanitation resources.

Of the remaining 15 agencies, four -- Correction, Probation, Juvenile Justice, and the Housing Authority -- were able to provide comprehensive statistics on Hispanic representation among their clients; five others -- Cultural Affairs, Health and Hospitals Corporation, Health, Parks and Recreation, and Mental Health, Mental Retardation and Alcoholism Services

¹As defined in Sanitation Department submission.

-- have partial statistics on some program areas; two agencies -- Police Department and Fire Department -- state that their target group is the entire New York City population; and four agencies -- Human Resources Administration, Consumer Affairs, Housing Preservation and Development, Department for the Aging -- do not keep statistics on the racial/ethnic background of their clients. In addition, the Human Resources Administration and the Department for the Aging estimate the Hispanic representation of their eligible population, but neither agency currently maintains client statistics.

The Human Resources Administration (HRA), for example, does not compile statistics on the racial/ethnic background of the recipients of benefits and services because it claims that such information is "not related to the receipt of service." Using the 1985 Current Population Survey², HRA has estimated that 56.3 percent of persons eligible for Aid for Families with Dependent Children and 53.1 percent of persons eligible for Home Relief are Hispanic. HRA cannot, however, correlate these estimates with their actual case load. At the same time, HRA concedes that it should know the proportion of clients with limited English-speaking ability (LESA). It is currently undertaking a survey of all its program areas in order to determine the need for bilingual staff.

By correlating the client data with other outside data, agencies can compare the characteristics of their client population with that of the target population and determine whether their services are reaching all groups in proportion to their needs. Census data, population surveys and academic research are all potential sources of information on the characteristics of the target population of a program. These correlations, however, need to be done with care and must take into account all possible factors. Figures from the Department of Mental Health, Mental Retardation

²U.S. Bureau of Census. This figure is taken from an HRA memo (Administrator Gross to LIST, 3/21/86). In the HRA's submission to the Commission, estimates were given of 48.5 percent Hispanic representation among Public Assistance recipients and 46.2 percent Hispanic representation in the Food Stamps programs.

and Alcoholism Services, for example, indicate that Hispanics represented 20.4 percent of the patients in New York City mental health facilities during 1985. The Department compares this figure with the percentage of Hispanics in the total population according to the 1980 Census (19.9%) and infers that Hispanics are adequately represented among its clients. In making this assumption, the Department seemingly discounts two important factors: there is a high correlation between poverty and mental illness; and Hispanics are more likely to use the services offered by City-sponsored agencies than more expensive private services. When these other factors are considered, the proportion of Hispanics among mental health patients would be expected to be considerably higher.

Given the economic and social position of New York's Hispanic population, it is to be expected that they constitute a large portion of the clients of programs aimed at the poor, or at other target groups, such as prisoners or single parent families, that have a high correlation with poverty. The figures that are available from City agencies indicate a high incidence of Hispanics in programs where clients are mandated by law (e.g., the Department of Correction) or where there is a target group of legally eligible -- usually low income -- clients (e.g., Human Resources Administration's Income Maintenance programs or Housing Authority's housing programs). For example Hispanics represent:

- 30% of the families in Housing Authority buildings.
- 30% of the admissions to Department of Juvenile Justice facilities.
- 46% of the live births in Health and Hospitals Corporation hospitals.
- 33% of the inmates in New York City Correctional facilities.
- 35% of the participants in the Health Department's Family Shelter Program
- 32% of children in Parks and Recreation pre-school programs.

Despite this prima facie evidence that Hispanics are well served by these agencies, the agencies have no way of verifying that their client population reflects the wider target population. In more voluntary programs and nonessential services, few statistics are available on Hispanic representation among clients. Without extensive program by program

research, it is not possible to conclude definitively that Hispanics are underserved. Anecdotal evidence from the Commission's hearings and interviews with agency personnel, however, suggest that many Hispanics are not using City services.

The Commission is aware that collecting data on race and ethnicity by a government agency raises a host of difficult legal and ethical issues. In the past, data collection has also been used to discriminate against religious and racial minorities. The prevalent view, however, is that it is permissible -- indeed, desirable -- to collect data where it is used to gauge the success or impact of a services. Pursuant to guidelines issued by the State Division of Human Rights, precautions must be taken to ensure that the data collected on race and ethnicity are kept separate from files on a particular individual, and that an individual decision to deliver services is in no way effected by this information.³ Some people are also wary that collecting statistics showing a high incidence of Hispanics among certain agencies' clients will create a "backlash." They argue that it does not put the Hispanic community in a favorable light to show, for example, that 33.5 percent of prisoners are Hispanic.⁴ The Commission feels that such statistics are, above all, evidence of the great needs that exist in Hispanic community.

RECOMMENDATION

- * That City agencies keep statistics on the background of their clients by racial/ethnic group and language spoken at home in order to know the exact proportion of Hispanics in City programs and services. Agencies should attempt to match actual client statistics with other available statistics on the target population for their

³ Short of directly collecting the data from individual clients, another technique currently used to calculate the Hispanic representation among clients of a service is the identification of surnames. Computer programs have been developed which identify Hispanic surnames; verification studies have shown that false inclusions are balanced by false exclusions and that such programs predict the Hispanic representation in population with a high degree of accuracy (see Mendoza Report next page).

⁴ See Department of Correction submission.

service. If Hispanics are underrepresented (or overrepresented), agencies should know why, and how modifications in their service delivery could effect the current situation.

Ensure that Hispanic Clients of City Agencies Receive an Equal Level of Service

Even where Hispanics are a significant proportion of an agency's clients, the question remains whether they receive an equal level of services as other clients, and whether they -- particularly Hispanics with limited English -- are able to negotiate the bureaucratic maze and exercise their rights equally.

The Commission is aware of only two studies that have been conducted in this area. The Mendoza Report⁵ indicated that because of insufficient bilingual staff in Income Maintenance Centers, Hispanics with limited English suffered delays in receipt of services; they incurred additional costs associated with those delays; their rights of privacy were violated through having to use friends, relatives, and other clients as interpreters; and they received fewer non-monetary services. The Human Resource Administration (HRA) subsequently took corrective action in its Income Maintenance Program by allocating additional bilingual staff. In addition, the HRA is currently developing a language access plan which will extend the corrective action to other program areas. The other study, from the Office of the Comptroller in 1984, reported that many Food Stamp centers in areas with a high proportion of Hispanics did not have Spanish speakers available to answer phone enquiries.⁶

⁵U.S. Department of Health·Education and Welfare, Office of Civil Rights, Mendoza Report, Access of Non or Limited English-Speaking Persons of Hispanic Origin to the New York City Department of Social Services, September 1978.

⁶Office of the Comptroller News Feb. 16, 1984.

The Commission's public hearings elicited many complaints that Hispanics do not receive equal services from City agencies. Workers in private human service agencies also reported that their clients with limited English ability have difficulty obtaining information and following procedures because of the lack of bilingual staff and an insensitivity on the part of many City agency workers. Many of the problems in access to services encountered by Hispanics with limited English can be addressed through a more efficient use of bilingual staff, interpreters, and translators. Chapter 10 on language services addresses this issue in more detail.

In addition to the language issue, agencies with a large Hispanic clientele must also insure that services are delivered in a manner appropriate to the cultural background of the clients. The Commission heard reports that Hispanics were not using health or mental health services because they were not tailored to their cultural needs. When designing service modalities, agencies should ensure that the cultural background of the large Hispanic population is taken into account.

RECOMMENDATIONS

- * That agencies ensure that their Hispanic clients have equal access to all services. This equal access can be achieved through the effective use of bilingual staff, ad hoc interpreters, and translated printed materials.
- * That agencies ensure that services, where appropriate, take into account the cultural background of Hispanic clients.

Award a Larger Proportion of City Contracts for Human Services to Hispanic Community-Based Organizations

Many programs and services are provided indirectly by the City through contracts with community-based organizations (CBOs) and other private groups. The Department of Aging, Department of Cultural Affairs, Department of Employment, Department of Health, Human Resources Administration (HRA), and the Department of Mental Health,

Mental Retardation and Alcoholism Services are some of the agencies that contract with outside organizations to provide direct services.

Only four agencies provided the Commission with information on the number of contracts they have with Hispanic CBOs. The Department of Employment has 13 (13%) Hispanic organizations among its 100 contractors; the Department of Cultural Affairs funds 29 (8.3%) Hispanic organizations among the 350 arts groups funded through its Program Support; the Department of Mental Health funds three (2.0%) Hispanic organizations among 149 community-based organizations; and, of 911 HRA contracts, 26 (2.8%) go to Hispanic CBOs. All the agencies state that many of the non-Hispanic organizations also provide substantial services to Hispanic community. While it is important that all organizations integrate Hispanics into their service delivery, Hispanic CBOs must also have equal access to City contracts. City agencies will be more successful in reaching the Hispanic community by contracting with Hispanic CBOs, which are often the first organizations Hispanics turn to for assistance.

City officials claim that they cannot find enough Hispanic CBOs with the necessary credentials to take on City contracts. According to advocacy groups for Hispanic CBOs, however, there are enough Hispanic organizations with the potential to take on contracts, but they have received too little support from funding agencies. While many private-sector human service organizations have suffered substantial cuts in funding over the last few years, the Hispanic community has suffered disproportionately and the cuts have meant the loss of many of their CBOs⁷. Hispanic CBOs tend to be newer, smaller organizations developing in response to the needs of a poor community, and they rely heavily on government funding. They cannot fall back on donations or endowments to make up deficits, and often do not have the organizational experience or political clout to survive cutbacks.

⁷See: Mizio E. and Valiente-Barksdale C., Hispanic Community-Based Organizations: Issues of Survival and Non-Survival, Community Services Society, New York, 1986.

The current system of funding CBOs makes survival difficult. Contracts are given on a year-to-year basis and many indirect costs are not met. City contracts often do not provide sufficient funds for the administrative component of projects, so many Hispanic CBOs, working under already tight budgets, cannot afford to bid on contracts when they will not be compensated for all the costs involved in undertaking a project. This uncertain funding environment -- in which as much time must be spent on fundraising and writing proposals as on program implementation -- favors the more established and larger CBOs that can defray costs through other fund-raising efforts.

Even when new funds are aimed at creating programs to respond to the needs of a largely Hispanic target group, Hispanic CBOs find they lose out to established CBOs from other ethnic groups. Two City agencies provided the Commission with a list of CBOs servicing the Hispanic community and on both lists there was a strong representation of large CBOs from other, non-Hispanic, ethnic and religious groups. These non-Hispanic CBOs have the resources to shift their focus as their own traditional client group decreases. Hispanic CBOs, that could provide the most direct link with Hispanic clients and have a common bond and strong commitment to their communities are virtually excluded by the current process.

City agencies must adopt a more supportive and developmental approach to existing and potential Hispanic contractors. Current funding processes which work against Hispanic CBOs should be modified or waived and more funds allocated to them. The Department of Employment, for example, addressed the underrepresentation of Hispanics in its services by increasing the number of contracts with Hispanic organizations through a special \$1 million targeted program. Other City agencies contracting services should seek to include more Hispanic CBOs in their contract portfolios.

RECOMMENDATION

- * That agencies provide more services directly to the Hispanic community through contracts with Hispanic

community-based organizations. Sufficient funding, support, and technical assistance should be provided to assist Hispanic organizations to successfully bid and administer City contracts.

Appoint More Hispanics to Advisory Boards and Policymaking Committees

Appointing Hispanics to positions where they can influence the policy decisions of a wide variety of agencies is an essential part of making an agency's service delivery more responsive. The Commission asked the 17 agencies for information on the representation of Hispanics on their advisory committees and other policy-making boards. Only three agencies addressed this issue in their submissions. The Department of Mental Health, Mental Retardation and Alcoholism Services mentioned that vacancies existed on a number of their boards and that they hoped to use the opportunity to appoint qualified Hispanics; the Human Resources Administration provided statistics on Hispanic representation on the Department of Social Services Advisory Board (14.8%) and District Advisory Councils (19.3%); and the Police Department indicated that four of their seven standing advisory committees do not have Hispanic representation.

A subsequent check of the boards and committees listed in the Official Directory of the City of New York indicates that, in fact, Hispanics are very poorly represented. The only board with any significant representation of Hispanics is the Department of Social Services Advisory Board.

RECOMMENDATION

- * That all City boards and committees appoint more Hispanic members. Policymaking bodies should reflect the composition of the target groups of the program or service.

Establish a Spanish-Language Information Hotline and Expand Outreach Efforts

The participants at the Commission's public hearings repeatedly underscored the Hispanic community's frustration at its inability to cut through the City's bureaucratic red tape in order to obtain assistance and information concerning municipal services. Numerous residents in each borough described the obstacles that have frustrated even the simplest attempt to determine the status of an outstanding application or to speak to a knowledgeable municipal employee. The Commission was consistently asked: "Where can I go for information?" or "Who can I turn to for assistance?" The lack of access to information was a problem experienced by Hispanic homeless families as well as by Hispanic businesspeople, regardless of English-speaking ability. Of course, the problem is seriously compounded when residents with limited English attempt to untangle the bureaucratic web.

Although a number of agencies do provide special Spanish-language hotlines for information about services to the Hispanic community, the City must recognize that it cannot serve its Hispanic residents without a consolidated information network. The first step to ensuring that Hispanics have equal access to municipal resources is to guarantee that Hispanics have direct access to information.

The Commission recommends that a computerized central information system for Hispanics be launched, first as a pilot program through either the Mayor's Office of Hispanic Affairs or the Mayor's Action Center. The system could be marketed as a Hispanic Hotline based on a computer system similar to that used by telephone operators. The computer would be programmed with information on relevant municipal services and programs, as well as the phone numbers of designated contacts within each City agency. The caller's name would remain confidential unless requesting information that has to be mailed. The Commission suggests that the Hispanic Hotline be reached by dialing (212) HISPANO (447-7266).

In addition to developing better information services, City agencies must ensure that they advertise their services through effective outreach

and direct links with the Hispanic community. A number of agencies have already taken initiatives in this area: the Department of Sanitation, Police Department, and Human Resources Administration submitted copies of Spanish-language advertising material; and the Department of Consumer Affairs, some Department of Health programs, and the Department of Parks and Recreation indicated that they have articles about their services appearing frequently in Hispanic newspapers. One untried possibility is the use of television as a communication tool. In general, however, Spanish-language advertising and the Spanish-speaking media are not used extensively enough by City agencies.

Moreover, City agencies do not seem to appreciate fully the importance of developing effective links with Hispanic community and with the leaders and groups that represent them. Agencies need to establish a strong relationship with the community. The Department for the Aging (DFTA), for example, appears to have made efforts to make its services accessible to Hispanics, yet was criticized by a number of speakers at the Commission's public hearing for its lack of sensitivity. This gap between the DFTA's efforts and the Hispanic community's perception of its responsiveness indicates a serious lack of communication.

Building links is difficult and time-consuming, but it is a necessary part of ensuring that the Hispanic community are both informed and involved in an agency's service delivery. Both the Police Department and the Human Resources Administration have recently appointed liaison officers specifically to strengthen the agencies' ties to the Hispanic community.

RECOMMENDATIONS

- * That the City establish as a pilot project a Spanish information hotline - 212 HISPANO. The hotline would provide information on City services and refer callers to appropriate agencies.
- * That agencies increase their outreach and advertising efforts to inform the Hispanic community of the services available to them. In particular, agencies should learn to use the Hispanic media through advertising, articles, and community announcements.

- * That City agencies strengthen their contacts with Hispanic leaders and organizations.
- * That the City have a weekly television program in Spanish on WNYC, or on a channel that is more accessible to viewing in all five boroughs, in which different City services are discussed.

CHAPTER 10

CITY LANGUAGE SERVICES

Over one and a half million Hispanics live in New York City. "Hispanic New York" alone would be the fifth largest City in the United States and the tenth largest in the Spanish-speaking world. Of the more than 1.5 million Hispanics, 20-30 percent have limited English-speaking ability (LESA). These LESA Hispanics are often the poorest and least educated sector of our community, but the barrier created by limited English denies them access to many essential services.

In the Education chapter, the Commission outlines the need for more English classes as one important strategy for overcoming the language barrier. Yet, teaching English is not the definitive solution. There are never enough classes; the waiting lists for classes are long and the organizers of English classes estimate that, for every current student, there are three more actively seeking to join a class and many more who have been discouraged. Moreover, with the continued arrival of Hispanics and other non-English-speaking groups to New York, the LESA population is projected to increase over the next decades. Whatever action is taken on English classes, the issue of the delivery of some City services in Spanish must also be addressed.

A constant theme running through the Commission's public hearings and the numerous discussions with City officials and community leaders was the need for more bilingual, bicultural staff working in City agencies and more translated materials. The Commission found that the City's current use of language services (bilingual staff, interpreters, and translators) does not adequately meet the needs of the large LESA Hispanic population. After a review of the City's current language services, this chapter outlines the Commission's recommendations for the development of individual agency Language Service Plans based on proposed Guidelines for the Use of Bilingual Staff, Ad Hoc Interpreters, and Translators in City Agencies. The goal of these guidelines is to develop efficient, cost-effective programs

to ensure that LESA Hispanics have equal access to City agencies through services in their own language.

Although the recommendations primarily address the needs of the Hispanic community, the processes outlined can be easily adapted to provide services to other language groups. In addition to the Spanish speakers, there are some 250,000 other City LESA residents whose primary language is not English. The Commission expresses the hope that their needs will also be met through improving the City's language services.

Current Language Services

New York City agencies have for many years recognized the need to provide language services to ensure that LESA clients get equal service. The City agencies' submissions in response to the Commission's review of City services, and earlier research by the Office of Immigrant Affairs, Department of City Planning, have chronicled the initiatives taken by many agencies and their commitment to language services.

Despite this commitment, however, the research has also highlighted a number of problem areas in City language service delivery. These concerns fall into three main areas: staff, information, and coordination.

Staff:

* There are not enough bilingual/bicultural personnel in many City services. The Commission's survey found a lack of Spanish-speaking workers in many key areas, particularly in enforcement and uniformed services. Hispanics represent 30.9 percent of the Department of Probation's Family Court clients and 28.1 percent of the Adult Court clients. Thirty-three percent of inmates in New York City Correctional facilities are Hispanic. Neither of these agencies keep statistics on the English-language ability of the clients, but they report that a significant proportion of them have language difficulties and that Spanish is used often. Despite the need for bilingual staff, five of the Correctional facilities have no bilingual Correctional Counselors and only 8.7 percent of

Probation Officers are Hispanic (Spanish-speaking figures are not available). The Department of Juvenile Justice also reports a lack of Spanish-speaking staff in its admissions unit.

* Multilingual City employees are pressured to interpret for other workers in addition to their standard duties. Their normal workload is not reduced and they must work extra to compensate for their time away for interpreting. Hispanic Police Officers report that their chances of promotion are lowered because of time spent interpreting. The Health and Hospitals Corporation and the Department of Probation reported recent disputes with employees over interpreting duties. This disincentive to multilingual workers is a major barrier in providing language services and many employees with valuable language skills are reluctant to identify themselves as foreign-language speakers.

* Most City employees used to interpret or translate are not tested for their language ability and do not receive training in the skills necessary to perform these tasks. City employees are expected to interpret in a wide range of sensitive areas, yet only one agency reported testing the language ability of its staff and only two programs within two agencies provide any training. A recent study by the Office of Mental Hygiene of the Health and Hospitals Corporation found that the persons most often relied upon to interpret in Mental Hygiene services -- clerical staff, security staff, housekeeping staff, relatives, friends, and other patients -- rarely have the linguistic ability or training necessary to interpret accurately.¹

* Monolingual, English-speaking City employees often do not know how to work with LESA clients. People with limited English are told to "go away and come back with an interpreter" when attempting to obtain services from a City agency -- many do not come back. Although difficult to document, lack of sensitivity to LESA clients by City employees was an

¹NYC Health and Hospitals Corporation, Office of Mental Hygiene Services, Ad Hoc Interpreters Project, Report, (Draft only).

issue raised frequently during the Commission's public hearings and in interviews with ethnic service organizations.

Information:

* Most agencies do not maintain accurate statistics on the ethnic background and language ability of their clients. While a number of agencies break down client statistics by racial/ethnic group, only the Income Maintenance Program of the Human Resources Administration had statistics on the English-language ability of its clients.

* Most agencies do not have listings of bilingual staff, interpreters, or translated materials.

* Many of the City's crucial forms and information leaflets are not translated into Spanish. Agencies indicated that, given the resources, they would translate more information into Spanish.

* Much of the translated material currently available is incorrectly translated and presented (see below).

Coordination:

* There is no exchange of expertise and information on language services between agencies and the City lacks policies on the employment of bilingual staff, use of interpreters, standards for translations, reimbursements for language services, etc.

Given the nature of these three concerns, the Commission concludes that New York's LESA Hispanics are, in all likelihood, not receiving services they are eligible for, and that language difficulties are severely limiting the efficient delivery of the services they do receive.

This conclusion has been corroborated by other research already cited in Chapter 9. In 1978, a study by the Federal Office for Civil Rights found that insufficient bilingual services in City Income Maintenance

Centers resulted in discrimination against Hispanic clients.² Corrective action was subsequently taken by the Human Resources Administration, and the HRA is currently preparing language access plans for all its programs.

A 1984 survey of Food Stamp Centers found that it was difficult for clients to obtain information by telephone and that "prospective clients who speak only Spanish have an even rougher time getting information . . . fully one half of the centers called [many in areas with a high proportion of Hispanics] did not have a Spanish-speaking staff member available at the time."³

In submissions to the Commission's review of City services, a number of agencies conceded that their lack of Spanish-language capabilities hindered their service delivery to LESA Hispanics. In addition, many speakers at the Commission's public hearings pointed to the lack of bilingual/bicultural staff in City agencies and the absence of translated forms and information as evidence of the lack of responsiveness to the needs of the Hispanic community. The City has also received a number of written complaints about the low standard of Spanish used in City publications.

Translations

As part of their submissions to the Commission, agencies were asked to submit copies of their translated material. The Commission found that many of the translations are inadequate. More than 90 percent of the

²U.S Department of Health Education and Welfare, Office of Civil Rights, Mendoza Report: Access of Non or Limited English Speaking Persons of Hispanic Origin to the New York City Department of Social Services, September 1978.

³Office of the Comptroller, News, February 16, 1984.

translations submitted to the Commission had one or more of the following errors:

Mistranslations: Some of the material submitted is simply badly translated. Many of the common mistakes of inexperienced translators are evident, e.g., incorrect or inappropriate words and phrases, incorrect Spanish grammar, use of Spanish words with English syntax, etc. The Department for the Aging added an insert to the Spanish version of the Silver Pages apologizing for the mistakes in translation. A number of other translations have been discarded after publication when serious errors were pointed out.

Typographical errors: Many translations obviously have not been typed or proofread by Spanish speakers. Substitution of letters and words running into each other appear throughout many publications.

Incorrect punctuation: The use of accents is essential in Spanish. Without them, pronunciation and meaning can change. A number of translations did not have accent marks and others used English punctuation instead of Spanish.

Language too formal or technical: Many LESA Hispanics have relatively poor reading skills, even in Spanish -- 61 percent of New York's Hispanics have completed less than 12 years of schooling -- yet some translations read like doctoral theses. For example, the Department for the Aging provides a complex Spanish translation of a publication describing the elderly's rights to benefits. Many of their audience, the Spanish speaking elderly, have not completed junior high. Translations should provide information in easy-to-read, straightforward Spanish.

Content and language not marked in English: This makes it impossible for monolingual, English-speaking staff to sort, file, and most importantly, distribute translated material. It is essential that all translations carry the title of the publication in English and the notation "Spanish translation" on the cover. Agencies should attempt to produce bilingual material, i.e., written in both English and Spanish.

Organization and program names not provided in English:

Translations usually have the names of City agencies, programs, benefits, etc., translated into Spanish. However, if the original English version is not included, the reader may be unable to find the service: a potential tenant may read about the services offered by "La Autoridad de Viviendas," but is unlikely to find that name in the phone book or on building signs. Moreover, the Housing Authority even uses two different translations of its name -- "La Autoridad de Viviendas," and "La Autoridad de Hogares" (at times misspelled as "Viniendas" and "Hagares") -- in its official publications. At least two other agencies use more than one translation of their names: the Department of Consumer Affairs uses "Departamento de Asuntos del Consumidor" and "Departamento de Protección al Consumidor; and the Department of Housing Preservation and Development uses "Departamento de Preservación y Renovación de Vivienda" and "Departamento de Deasarrollo y Preservación de Vivienda."

Inconsistent translations: Just as some agencies use different Spanish translations for the agency name, more than one translation of other words or phrases are often used. The Human Resources Administration refers to homeless families as "familias sin hogar" in some publications, while in others they are "familias desamparadas." Both translations are correct, but their inconsistent use can lead to confusion over programs and eligibility.

No indication given of how to approach the agency in Spanish: All translations attempt to provide LESA Hispanics with information about services, yet few translations tell them how they can get those services if they do not speak English. Translations tell people "para mayor información llame . . . , o póngase en contacto con . . . (for more information call . . . , or contact . . .) but often no one at the listed location or number speaks Spanish. All translations should state the Spanish-language capabilities of the agency.

Material not dated: Translations tend to be updated less often than the corresponding English materials. Readers need to know how old the information is.

Currently, the City has no formal, central facilities for translating into Spanish. While some translations are made by translators working in the larger City agencies or are contracted out to professional translating services, most are done as "favours" by staff who were not employed to translate but who happen to speak Spanish. (The Commission itself was asked on a number of occasions to translate documents for City agencies.) Most of the people doing the favor do not have the training necessary to translate. The Commission employed an outside translator to translate parts of this document.

Address Inadequacy of Language Services Through Individual Agency Language Service Plans Based on City-Wide Guidelines

The Commission has elected to present to the Mayor an integrated proposal for the adoption of City-wide Guidelines for the Use of Spanish Bilingual Workers, Ad Hoc Interpreters, and Translators in New York City Agencies. Attachment 1 details the Commission's proposal for the Guidelines. The Commission recommends that these Guidelines be used to direct City agencies in developing individual agency plans for providing language services. These individual agency Language Services Plans would convert the general concepts of the Guidelines into specific policies and administrative procedures for the agency. The Commission recommends that these Language Services Plans be submitted to the Mayor no later than July 30, 1987 (see Attachment 2).

The Guidelines cover all Mayoral agencies or services of those agencies deemed as providing substantial public contact services. In addition, the Mayor should move to have the Guidelines adopted by non-Mayoral agencies, such as the Health and Hospitals Corporation, which provide critical services to the Hispanic community. Some of these agencies do not provide direct services to clients, but administer funding to contract, non-government agencies which furnish services on behalf of the City. These City agencies should ensure that, as a condition of funding, contract agencies provide language services.

The intent is to provide language services wherever possible through existing City positions. The Guidelines do not require the employment of interpreters, i.e., staff employed only to interpret. Language services will be provided primarily through bilingual workers in established job titles or in other instances by other employees with language skills interpreting on an ad hoc basis. All employees providing language services will be tested for their language skills and trained in interpreting and translating techniques.

This proposal calls for two major changes to the current personnel practices of the City:

First, greater use of priority in hiring to attract Spanish bilingual employees and to ensure that personnel in key service positions reflect the language service needs of the client population. These direct bilingual service employees will be the primary deliverers of language services. They will receive priority in hiring but no extra payment for use of their language skills within their job title.

Second, the creation of a New York City Language Bonus to reimburse other staff who agree to provide language services "out of title" (i.e., extra duties not included in the original job description for the title). Staff receiving the bonus will be used to augment the language services of direct bilingual service workers by providing ad hoc interpreter and translator services only where there are no direct bilingual service workers or full-time translators.

The Guidelines are to be implemented on an agency-by-agency level. However, before agencies can be asked to develop Language Services Plans, the City must lay the groundwork by introducing appropriate legislation, establishing coordination procedures, extending the use of selective certification, negotiating the payment of the Language Bonus, and organizing testing and training of personnel providing language services.

Enabling Legislation

A legislative base for language services is essential. The Commission recommends enactment of legislation at a City-wide level, or the amendment of individual agency charters. The following draft language, similar to Local Law 535 recently passed by the City Council mandating the use of interpreters in emergency rooms in City hospitals, would be used:

"[agencies] shall provide bilingual staff, interpreter and translator services for limited-English speaking users of the agency, where such limited-English speaking users of any single language group comprise at least five percent⁴ of the people to be serviced by the agency or offices of the agency."

The use of a five percent threshold establishes a minimum above which agencies are legally obligated to provide language services. Below five percent, given the small concentration of LESA clients involved, agencies cannot be reasonably expected to provide continuous language services. However, the mechanisms instituted through these Guidelines will also assist agencies in servicing language populations smaller than five percent.

Coordination and Monitoring

The implementation of these Guidelines requires coordination between agencies and ongoing monitoring of agency compliance. The Commission recommends that the Mayor appoint a Language Services Coordinator in the Office of Operations at a level high enough to ensure that the Guidelines are enforced and to oversee their functioning.

⁴Five percent was the figure in the original version of Intro 535 and is the standard used in similar legislation in other jurisdictions. The final version passed by the Council uses 10 percent as the threshold. The Commission understands that calculations by the Department of City Planning using 10 percent have too narrowly restricted the scope of the law.

In addition to monitoring language service plans, the Language Services Coordinator would provide technical assistance to agencies on translating and interpreting issues, develop training materials in translating and interpreting skills, establish a central library of City and other relevant translations, and keep listings of translators available for City work. The Coordinator would also develop the mechanism for the review of City translations (see Attachment 3 for job description).

Selective Certification and Parenthetic Titles

Selective certification for language skills is currently used on an occasional basis for a number of City titles. The Commission recommends that selective certification for Spanish-language skills or the creation of parenthetic titles (see Guidelines) be used as a matter of course for all public contact titles.

New York City Language Bonus

The Guidelines essentially recognize that knowledge of a second language is a specialized, marketable skill. Employees hired to provide direct bilingual services (i.e., those who use their language skills only to perform tasks within a current job description) will receive priority in hiring. Other employees agreeing to provide ad hoc interpreting or translating out-of-title will be reimbursed through the New York City Language Bonus. The Language Bonus will pay eligible participants up to \$1500 per annum for the out of title work. In exchange for the Bonus, employees will be expected to make themselves available to other workers to translate or interpret where necessary.

The only workers eligible to receive the Language Bonus are workers in "public accessible" positions, i.e., positions that are reasonably accessible to areas where the public physically enters City agency offices, and positions in which employees can be reasonably expected to take "time out" to perform language service duties. Agency Language Services Plans would identify the public-accessible positions in the agency. All candidates for the Bonus will sit for approved language exams as

interpreter and/or translator. Successful candidates will receive \$1,250 per annum if they qualify as an ad hoc interpreter, or \$1,500 per annum if they qualify as ad hoc interpreter-translator.

Extra payment for language skills has been a point of controversy in City government for a number of years. Although the practice is widespread in other states (e.g., Texas, California), and such payments have been part of collective bargaining demands by New York City unions (see, for example, "General Demands of District Council 37, AFSCME, AFL-CIO for The Clerical Administrative Bargaining Unit," August 1985), the City has refused to agree to such payments. As far as the Commission has been able to establish there are two major reasons for refusal of the payment.

First, it "costs the City money." No estimates of the cost, however, have been made. Such costs can only be calculated accurately when agencies have submitted their Language Services Plans. As only ad hoc interpreters are to be paid, any costs will be reduced by covering the majority of language service needs with bilingual job titles. But whatever the cost, the Commission considers that it is far outweighed by the increased access to services for LESA New Yorkers who are deprived of services that their tax dollars pay for.

Second, City officials have expressed fear, not only of the costs involved with a Language Bonus, but of the precedent it would set. They talk of "opening a Pandora's Box." The Commission was told, "If we pay one group of people for a skill they happen to bring to City employment, we will be hit by requests for payments for all sort of things." The Commission, however, was never given a concrete example of a similar payment the City might be obligated to make. There is no other situation where City employees are so consistently asked to perform such a definable skill in addition to their normal work duties.

The Commission recommends that the City's objections to extra payment for language skills be dropped. In addition to the Language Bonus Payment, City agencies must ensure that time spent on ad hoc

interpreting or translating does not adversely affect the employee's work evaluation or chances of promotion. Interpreting or translating duties should be included in the criteria for any review of job performance and should be evaluated as a part of the employee's assigned duties.

Testing and Training

All persons who will be providing language services for the City will be tested for their language knowledge and will be required to participate in training workshops in interpreting and translating skills. A Spanish-language exam developed by the Bureau of Examinations of the Department of Personnel will be used as the basis for all examinations and selective certification in City agencies. Each agency may add extra items to the tests that are relevant to the agency's work.

The training can be undertaken either by the agency, the Language Service Coordinator, the Department of Personnel, or an outside consultant. The Division of Special Education of the Board of Education and the Office of Mental Hygiene of the Health and Hospitals Corporation have developed training curricula for staff volunteering to interpret or translate. These and other relevant curricula can be used to develop a City-wide training package. Candidates for language examinations should also be provided with self-study material to help improve their language skills. Development of language skills is to be at all levels within City government.

RECOMMENDATIONS

- * That the Mayor direct all City agencies providing substantial public contact services to submit to him by January 1988 a Language Services Plan outlining the mechanisms by which that agency will ensure that LESA Hispanics have equal access to its services.
- * That a Language Services Coordinator be appointed in the Mayor's Office of Operations to coordinate and monitor the agencies' Language Services Plans and other City language service efforts.
- * That the basis for the Language Services Plans be the attached proposed Guidelines for the Use of Spanish

Bilingual Staff, Ad Hoc Interpreters, and Translators in New York City Agencies. The Guidelines set out the minimum procedures for agencies' language services.

- * That legislation be introduced mandating the use of language services in City agencies.
- * That Spanish-speaking candidates be given priority in hiring for all public contact job titles in City agencies.
- * That other City employees not in public contact titles but who are willing and able to interpret or translate for clients and other workers, be paid a Language Bonus of up to \$1500 per annum in exchange for "out-of-title" ad hoc interpreting and translating.
- * That all persons providing language services for the City be tested for their language skills and trained in interpreting and translating techniques.
- * That all Spanish-language translations used by City agencies be reviewed to ensure that they comply with the minimum standards set out in the Guidelines.

Attachment 1

[PROPOSED] GUIDELINES FOR THE USE OF BILINGUAL STAFF, AD HOC INTERPRETERS, AND TRANSLATORS IN NEW YORK CITY AGENCIES

Responsibility for Agency Language Services Plan

Each agency covered by the Guidelines is to nominate an officer to develop the agency's individual Language Services Plan. Where an agency is sufficiently large, a full-time liaison/coordination position is to be created to work with the City Language Services Coordinator and to administer the ongoing functioning of the plan.

Statistics on LESA Users

Agencies must keep abreast of the changing LESA population. Agencies are required to submit to the Language Services Coordinator regular surveys or estimates of the LESA client population of the agency and its facilities.

Initially, five percent can be calculated using available Census data on English-language ability from the Department of City Planning. Later, agencies are expected to develop their own database on the language ability of their clients. Under the Language Services Program, and to fulfill the requirements of the enabling legislation, all agencies are required to keep statistics on the ethnic and language background of clients, or other mechanisms must be developed to calculate the LESA representation among agency clients.

Translations (written material)

Each agency is to identify the material to be translated and determine the ongoing need for translators. Some agencies may require full-time translators, but where a full-time translator cannot be justified, short translations can be made by qualified agency employees; or, the agency is to contract translations out.

All translations must meet the following criteria:

- * Translations are to be done only by qualified personnel. Translators should have native-speaker knowledge of Spanish and experience in translating.
- * Translations are to be typed and proofread by bilingual staff.
- * Translations are to be reviewed by an independent translator before publication.
- * Spanish punctuation and accents are to be used at all times.
- * The original English title and the words "Spanish translation" are to be prominently displayed on the first page of all translations.
- * City agency, other organizations, and program names are to remain in English, followed by a Spanish version in parentheses, e.g., "para información sobre el HEAP - Housing Energy Assistance Program - (Programa de Asistencia de Energía del Hogar) llame al Department for The Aging (Departamento Para Personas Mayores)."
- * Translations are to state if and when Spanish speaking staff are available for further contact.
- * Translations are to be dated.

Each agency, in conjunction with the Language Services Coordinator, is to produce a glossary of Spanish translations of words and phrases specific to the agency to ensure consistency in all translated materials.

Bilingual Services

To ensure that there are enough Spanish bilingual workers in casework and public contact positions, Spanish-language skills must be a

basis for priority in hiring. Agencies should effect this priority in hiring in one of two ways:

* Selective Certification. The agency adds provisions for testing in language skills to the entry requirements of an existing title. All candidates who pass the language test and other requirements are given priority on the subsequent civil service eligibility list for that title. If the agency requires bilingual workers and no person on the eligibility list for the title has the appropriate selective certification, then the job is to be advertised externally as a bilingual position in the designated language, despite the existence of a current eligibility list (e.g., Alcohol Rehabilitation Counselor -- knowledge of Spanish required).

* Parenthetic Titles. The agency splits an existing title into two titles -- the existing title and its parenthetic equivalent, e.g., Caseworker and Caseworker (Bilingual). The parenthetic title is then treated as a separate administrative entity with separate recruitment efforts, separate civil service lists established, and separate calculation of staffing needs and allocation.

In their individual plans, each agency is to nominate titles for selective certification or creation of parenthetic titles, identify the number of bilingual workers needed, and specify their distribution among service locations. The need for Spanish bilingual staff is to be calculated using fixed staff/client ratios to be determined in the agency plan. Where an agency feels it is also important to ensure that bilingual staff are available in titles with substantial public contact, but not involving an ongoing relationship (e.g., intake officer), the agency also is to use selective certification to employ staff in these titles.

Direct bilingual service workers are employed to use their language skills only to perform their own duties within their title. If a bilingual service worker is asked to translate or interpret for other staff, he or she is to be considered as performing ad hoc interpreter duties and eligible for the Language Bonus.

Ad Hoc Interpreting

The major burden of language services is to be carried by direct bilingual service workers employed specifically for their language skills. In areas where it is not possible to employ direct bilingual service workers or where the proportion of LESA Hispanics does not justify a full-time bilingual worker, language services through ad hoc interpreting must be provided by other City workers who are able to perform those duties. These workers will be reimbursed for this out-of-title work through a Language Bonus.

Interpreting will be done in person or over the phone in "three-way" conversations. Interpreting "assignments" will be kept to a minimum, with as little disruption to the worker's duties as possible. Workers can elect to perform telephone duties only. When there is to be an ongoing contact, the client is to be referred to bilingual workers or to appropriate non-government organizations.

Employees who qualify for the Language Bonus will only be expected to perform ad hoc interpreting duties to a level at which they do not significantly disrupt their normal work load. The supervisors of employees agreeing to do ad hoc interpreting are to be informed of their participation and their work responsibilities are to be adjusted accordingly. A complaint mechanism is to be instituted to protect workers who feel that they are being asked to interpret too often.

Non-City employee volunteers who work in public access positions in City services are to be encouraged to participate in language services as ad hoc interpreters and translators. Agencies are to provide training and support for them. Only volunteers who have passed approved tests can provide language services.

Non-government organizations working with ethnic/language groups are to be treated as partners in ensuring that LESA clients have access to City services. In specific instances, it may be possible to ask workers in

non-government organizations to act as ad hoc telephone interpreters for small service locations or for less commonly spoken languages.

Language Banks

Agencies are to institute language banks -- listings of all direct bilingual service workers, other personnel receiving the Language Bonus, and appropriate non-government organizations servicing Hispanics.

Language banks are to be organized agency-wide or, where an agency has a number of large administrative divisions (e.g., bureaus, sub-agencies, etc.) or large service centers (e.g., hospitals), separate language banks can be compiled. Depending on the agencies' needs, the banks are to be operated in one of two manners:

- * The bank publishes the listing of language services and distributes them to agency workers. When a worker needs language services, he or she contacts a bilingual service worker or an ad hoc interpreter directly from the list.
- * The bank is administered by a central office which receives all calls regarding access to the bank. The office contacts the relevant bilingual worker or ad hoc interpreter and asks him or her to respond to the original inquiry.

Hotlines/Telephone Information

Any telephone number that an agency uses and advertises as a contact number for emergencies is to have Spanish-speaking staff available on all shifts. In addition, agencies are to ensure that LESA clients have access to telephone information by either:

- * ensuring that all information numbers have access to bilingual staff.
- * establishing separate Spanish-language information numbers.

* contracting with a private telephone interpreting service to handle non-English calls through three way conversations. These telephone interpreting services usually charge a yearly subscription fee and a fee per call. The Police Department's "911" service, which handles six million calls per year, estimates that it would cost \$18,000 per year to give 24 hour coverage of 86 languages (not including Spanish which is covered by Spanish, operators on all shifts).

In all advertising and outreach, agencies are to specify the telephone number Spanish speakers should use.

Other Personnel

These Guidelines cannot be implemented without the knowledge and cooperation of all City personnel. Personnel are to be informed of the existence of the Guidelines and properly instructed in their use.

In important and high-volume service areas, "intake protocols" -- a set of administrative rules which mandate the staff procedures for dealing with LESA clients -- are to be instituted. The procedures include use of the language bank, the "flagging" of client files to indicate that an interpreter is needed, referrals to non-government organizations, etc. Each agency is to develop appropriate protocols as part of their agency plan.

Outreach

Many LESA residents lack sufficient knowledge about City services; nor do they know that some services are provided in Spanish. Therefore, outreach is an important component of providing language services. Advertising the existence of language services in the City and distributing written translated material is the responsibility of the Language Services Coordinator, agency liaison/coordinators, and agency public affairs offices.

Attachment 2

IMPLEMENTATION OF RECOMMENDATIONS

The Commission envisages that this proposal will be implemented in the following manner:

Phase 1 - Initiation (October 1986 - March 1987)

- i) Appointment of Language Services Coordinator and administrative staff.

Responsibility: Office of The Mayor

Time frame: by December 31, 1986

Cost: \$50,000 per annum, plus increments

- ii) Issue directive for Language Services Plans to City agencies

Responsibility: Mayor, Language Services Coordinator

Time frame: by March 31, 1987

Cost: no direct cost

Phase 2 - Development (March 1987 - June 1988)

- i) Introduction of legislation for language services.

Responsibility: Language Services Coordinator, City Council, Office of Intergovernmental Relations

Time frame: March 1987 - June 1988

Cost: no direct cost

- ii) Negotiation of labor agreements for Language Bonus

Responsibility: Office of Municipal Labor Relations

Time frame: March 1987 - June 1988

Cost: no direct cost

iii) Development of language exams, training materials, etc.

Responsibility: Language Services Coordinator, Department of Personnel, outside consultants

Time frame: March 1987 - January 1988

Cost: \$150,000 for initial course development and pilot course

iv) Agencies to submit Language Services Plans

Responsibility: Agency Commissioners

Time frame: by January 31, 1988

Cost: no direct cost

Phase 3 - Operation (July 1988)

i) Language access plans take effect

Responsibility: Agency Commissioners

Time frame: July 1, 1988

Cost: no direct cost

ii) Priority in hiring Spanish bilinguals for all public contact positions.

Responsibility: Department of Personnel

Time frame: as hirings occur from April 1988

Cost: cost associated with selective certification: Department of Personnel

iii) Spanish language testing of present City employees

Responsibility: Department of Personnel

Time frame: first testing April 1988, then ongoing

Cost: cost associated with increased testing: Department of Personnel

iv) Payment of Language Bonus

Responsibility: All agencies

Time frame: from July 1, 1988

Cost: (The exact cost to the City of the Bonus can only be calculated when all agencies have submitted their Language Services

Plans. The Commission estimates that some 2,000 workers -- 2/3 of the City's Hispanic office and clerical workers, the category most likely to be affected -- will be eligible for the \$1,500 per annum. As only employees performing ad hoc interpreting or translating out-of-title receive the Bonus, the cost can be reduced by insuring that, wherever possible, direct bilingual service workers are appointed.)

v) Training in interpreting and translating skills

Responsibility: All agencies, Language Services Coordinator,
Department of Personnel

Time frame: from January 1988

Cost: depending on training structure

vi) Publicity, Outreach

Responsibility: All agencies, Language Services Coordinator

Time frame: ongoing

Cost: no direct cost

Attachment 3

**[PROPOSED] JOB DESCRIPTION FOR LANGUAGE SERVICES
COORDINATOR**

- * Coordinate the development of agencies' Language Service Plans.
- * Provide technical assistance to agencies on all aspects of language services.
- * Identify testing materials to be used in evaluating the language competence of City employees.
- * Produce training materials on language services skills for City employees, and assist agencies in the use of the materials.
- * Identify the resources available for translating City publications.
- * Develop a mechanism to periodically review the quality of City translations.
- * Develop a resource bank of foreign language materials published by City agencies and other relevant organizations.
- * Foster research on language barriers and language services in New York City.
- * Keep abreast of legal compliance issues.
- * Study the City's long-term needs for language services.
- * Promote inter-agency coordination of information, expertise, and resources on language services.

APPENDIX 1



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

DIRECTIVE TO ALL HEADS OF
AGENCIES AND DEPARTMENTS

No. 78-11
April 25, 1978

An important objective of this Administration is to eliminate all barriers to equal opportunity in City employment. To further this objective, the pool of candidates generally considered for appointment to City positions must be as large as possible. Therefore, I am directing that once a determination has been made that a vacant City position should be filled or that a competitive examination should be scheduled, notice of such position and of such examination shall be published in the City Record for no fewer than five days, prominently posted by all City agencies and placed on file at the Department of Personnel where it shall be available to the general public.

I wish to reiterate that all reasonable efforts should be made to ensure that the pool of candidates for available positions contains a fair representation of minorities, women and the handicapped.

A handwritten signature in dark ink, appearing to read "Edward I. Koch".

EDWARD I. KOCH
MAYOR



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

MEMORANDUM

TO: AGENCY HEADS
FROM: EDWARD I. KOCH
DATE: June 8, 1979

I am concerned that sufficient efforts are not being made by agency heads to recruit and hire members of minority groups for managerial positions.

All appointments must be made on the basis of merit. Equally important is that the pool of candidates include a fair representation of Blacks, Hispanics, women and members of other minority groups.

Please be advised that before approval will be given by the Mayor's office of a candidate for a managerial position, you must provide me, through Deputy Mayor Ronay Menschel, with a statement on the specific efforts you have made to identify potential candidates from minority groups. Furthermore, please indicate in this statement whether or not those potential candidates so identified were interviewed by you and your staff in making your ultimate selection for a managerial position.

As you know, Department of Employment Commissioner Ronald Gault, over the past several months has been active in identifying persons for possible appointment to managerial positions. He and his staff are continuing to do so and should be helpful to you in your recruitment efforts. In addition I have asked Ronay Menschel to oversee these efforts and work with you. This is a serious matter that must receive your immediate and ongoing attention.

E. Koch



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

DIRECTIVE TO ALL HEADS OF AGENCIES AND DEPARTMENTS

No. 80-1

May 1980

Post-Audit Policy on Personnel, Budget and Other Actions

Effective July 1, 1980, I am establishing a post-audit policy on personnel, budget and other actions. This represents a significant departure from present City procedures whereby agency personnel, budget and other actions are subject to prior review and approval by the Department of Personnel, Office of Management and Budget (OMB) and Office of the Mayor. Under the post-audit policy, agency heads will have greater flexibility in appointing personnel and determining budget priorities. In turn, I expect that this new policy will enable agencies to maximize effective and efficient service delivery.

Under post-audit policy, OMB will specify a quarterly allocation and a personnel ceiling. The agency will then operate within those parameters, subject to post-audits by OMB, Department of Personnel, Office of the Mayor and Department of General Services. In a few instances, the agency will need prior approval to proceed with planned personnel, budget and other actions; however, these exceptions have been kept to a minimum to increase flexibility in agency operations.

Sections I, II, and III of this directive describe actions subject to pre-audit. Within ten working days of submission of Monthly Planned Action Reports (PAR), the Office of the Mayor will notify the agency about the approval/disapproval of actions requiring pre-audit by the Office of the Mayor, Department of Personnel and the Department of General Services. For budget actions requiring pre-audit by OMB, OMB will notify the agency about approval/disapproval within ten days of error-free entrance into IFMS.

Sections IV and V describe the procedure the agency should follow. OMB, Department of Personnel, Office of the Mayor and Department of General Services can conduct post-audits.

The revised PAR manual will include detailed information about pre- and post-audit submission schedules and procedures and also guidelines for sub-managerial merit increases. A new procedure and forms for out-of-City travel will be issued in conjunction with the revised manual.

It is important for the agency to note that City Personnel Director Rules and Regulations and Civil Service Law remain in effect and that this directive does not permit the agency to violate any of these rules and laws. In furtherance of the policy established herein and consistent with the provisions of the Charter conferring upon agency heads personnel-related powers and duties essential for the management of their agencies, the City Personnel Director shall, when reviewing a payroll as required by Section 100 of the Civil Service Law, rely upon the certification by an agency head that all appointments have been made in accordance with the Civil Service Law, when the following procedures have been adhered to:

1. In connection with each payroll, an agency head must certify that:
 - a. the payroll has been examined and persons named on the payroll have been appointed, employed or promoted in accordance with the Civil Service Law and the Rules and Regulations of the City Personnel Director; and
 - b. for each provisional appointment, there is no appropriate eligible list, and the person appointed meets the qualifications for the position; and
 - c. for each appointment to a title in the non-competitive class, no more than the authorized number of appointments in that title have been made, and the person appointed meets the qualifications for the position; and
 - d. for each appointment to a title in the exempt class, no more than the authorized number of appointments in that title have been made, and the person appointed meets the qualifications for the position; and
- Section 100 of the Civil Service Law requires that all appointments be made in accordance with the provisions of the Civil Service Law and the Rules and Regulations of the City Personnel Director.

BEST COPY AVAILABLE

- a. for each appointment to a title in the competitive class, the appointment has been made correctly as a result of a certification of the appropriate eligible list by the Department of Personnel.
2. Within 30 days after any appointment is made, all documents required by the Department of Personnel to substantiate the person has been appointed, employed or promoted in accordance with the Civil Service Laws and the Rules and Regulations of the City Personnel Director, shall be submitted to the Department of Personnel.
3. If an agency fails to submit documentation as required, or if the documents do not substantiate that a person has been appointed, employed or promoted in accordance with the Civil Service Law and the Rules and Regulations of the City Personnel Director, the Department of Personnel shall, pursuant to Section 100 of the Civil Service Law, notify the Department of Finance that the person shall not be paid.

The extension of post-audit policy to an agency is viewed as a privilege which can be withdrawn at any time. Agencies which abuse the privilege will revert to a pre-audit procedure and, in appropriate cases, will have their allocations reduced. Also, additional items may be designated for pre-audit if necessary to meet financial plan objectives.

I. Budgetary Actions

CMB will establish a quarterly allotment for obligations and expenditures by units of appropriation and a quarterly head-count ceiling for full-time personnel by units of appropriation.

The following budget actions are subject to pre-audit by CMB and should be submitted to FISA according to current procedures: 1) transfer of funds between units of appropriation, including changes in categorical funding, e.g. CETA, CD, LEAA; 2) schedule modifications that change schedules within Control Categories, schedule lump sums, establish new budget codes, change fringe benefit accounts, intra-city accounts, and change the way in which the City of New York is accounted for.

Monthly variance reports on units of appropriations will continue to be required and must be submitted in accordance with schedules provided by OMB.

II. Personnel Actions

The following types of actions are subject to pre-audit by the Department of Personnel and Office of the Mayor and must be submitted on PAR forms with all appropriate documentation:

- A. Affirmative Action: All provisional managerial hires and promotions currently subject to my June 8, 1979 memo remain subject to the requirements outlined there and will be pre-audited for compliance with the memo.
- B. Pre-appointment investigation titles: All hires and promotions to titles requiring investigation before appointment.
- C. Hires
 - 1. Managerial appointments at the rate of \$30,000 and above
 - 2. Out-of-City residents
 - 3. Consultant appointments (Rule 5.7.1. of the City Personnel Director Rules and Regulations)
- D. Managerial promotions to the rate of \$30,000 and above
- E. Merit increases that exceed guidelines for sub-managerial employees
- F. Requests to create or upgrade managerial positions
- G. Transfers of sub-managerial and managerial employees that exceed the following guideline: Upon transfer an employee can receive up to a 20% salary adjustment or the minimum for the title/level, whichever is greater. NOTE: The "no raiding" policy continues to be in effect.

III. Other Actions

The following types of actions are subject to pre-audit by the Office of the Mayor and the Department of Personnel and Office of the Mayor and must be submitted on PAR forms with all appropriate documentation:

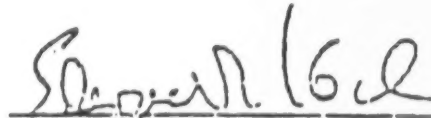
- A. Purchase/rental of data processing, instant copying or printing equipment

- B. Purchase/lease of motor vehicles
- C. New/renewal leases for office space
- D. Telephone service orders over \$1000 (recurring and non-recurring costs)
- E. Contracts for professional services
- F. Out-of-City travel

IV. Procedures on Post-Audit

The agency must submit all actions subject to post-audit on PAR forms along with appropriate documentation.

The post-audit review by the Office of the Mayor, Department of General Services, OMB and Department of Personnel is of paramount importance in assuring that agencies operate within their financial plans and in accordance with Civil Service Law and citywide policies. Therefore, all agency post-audit reports must be timely and complete.


EDWARD I. KOCH
MAYOR



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N. Y. 10007

M E M O R A N D U M

To: All Agency Heads
From: Mayor Edward I. Koch
Date: October 14, 1980

As you know, I have placed great emphasis upon our recruitment and promotion of qualified members of minority groups. While I believe we have made some good progress, I remain deeply disappointed by our lack of success in appreciably improving our record in attracting members of the Hispanic community to managerial positions. I have asked Ron Gault to intensify his efforts in this area, but I think we should make our search as wide as possible.

Accordingly, I have asked my Special Advisor, Rafael Esparra, to work with you in identifying qualified Hispanic managerial candidates. Mr. Esparra will be in touch with many of you in the near future to discuss the suggestions he has in this area and I will expect your full cooperation with him.

I want to stress that I will expect substantial improvement in this area in the very near future, and I will be asking you to brief me from time to time on the specific steps you have taken to increase the representation of the Hispanic community in the City managerial cadre. In the final analysis, we are here to provide assistance to your efforts; but I expect all agency heads to be making their own, independent efforts as well. It will not be sufficient if you cite resumes forwarded to you by Ron Gault or Rafael Esparra as your sole effort in seeking to fill managerial vacancies with members of the Hispanic community.

As always, each job should be filled with the best qualified candidate, regardless of race, religion, sex or national origin. Our efforts here are geared toward insuring that the pool of qualified candidates be as large as possible and as representative as possible of the many groups living in this City.

I would like a report from each agency head no later than October 21 outlining the steps you are taking to increase the representation of Hispanics in the City's managerial work force.

Ed Koch



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N. Y. 10007

RAFAEL ESPARRA
SPECIAL ADVISOR TO THE MAYOR
FOR HISPANIC AFFAIRS

CITY HALL
NEW YORK N. Y. 10007
TELEPHONE: 566-1778

November 7, 1980

M E M O R A N D U M

TO : All Agency Heads
FROM : Rafael Esparra *RE*
SUBJECT : HISPANIC RECRUITMENT EFFORTS

In response to the reports sent to the Mayor regarding the steps that each agency head has taken to increase the representation of Hispanic in the city's managerial work force, I found that the most common approach used in the recruitment of Hispanic candidates has been the media especially, El Diario and the Amsterdam News. While this approach may prove successful at times, I strongly suggest the utilization of other methods to assure that we reach and attract a larger pool of qualified Hispanics for possible city managerial positions.

I believe that a more personal and direct contact between your agency and the office of Hispanic Affairs will bring positive results. In addition, in my efforts to identify qualified Hispanic candidates I have asked Ms. Lourdes Chinae and Mr. Joseph Santiago to assist each agency head in recruiting and screening process if their assistance is solicited. Both Ms. Chinae and Mr. Santiago are professionals in the labor market that specialize in the recruitment of Hispanic professionals and executives. Enclosed please find Ms. Chinae's letter expressing her commitment to help us in the recruitment of Hispanic managerial candidates. Needless to say, that the Talent Search Bank continues to do an outstanding job in screening minority candidates and should continue to be a mayor resource.

Memo to: All Agency Heads
November 5, 1980
Page -2-

I feel that with the joint efforts of my office, China Associates, the Talent Search Bank and all agency heads we will be able to improve and increase the representation of Hispanics in the City's Administrative work force.

Thank you in advance for your interest and cooperation in this matter.

bg

cc: Mayor Edward I. Koch
Deputy Mayor Nat Leventhal
Ms. Lourdes Chinae
Comm. Ronald Gault

Enc. letter



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N. Y. 10007

RAFAEL ESPARRA
SPECIAL ADVISOR TO THE MAYOR
FOR HISPANIC AFFAIRS

CITY HALL
NEW YORK N. Y. 10007
TELEPHONE 566-1778

November 17, 1980

M E M O R A N D U M

TO : Mayor Edward I. Koch
Deputy Mayor Nathan Leventhal

FROM : Rafael Esparra

SUBJECT : AGENCY HEAD'S RESPONSE TO
HISPANIC RECRUITMENT EFFORTS

This report is in reference to the responses that you have received from 30 agency heads as a result of your memorandum of October 14, 1980. The following is a summary analysis of each report.

My impression of the reports is that they still do not reflect a strong commitment to the recruitment of Hispanic candidates for managerial positions. I have been working and will continue to work with Nat Leventhal in order to strengthen the efforts to increase the representation of Hispanics in the City's managerial work force.

Department of Health. Commissioner Reinaldo Ferrer - The Department of Health has placed ads in the New York Times, advertising vacancies, they have circularized vacancies to the City Personnel Department and other City agencies. In addition, they have utilized the Talent Research Bank.

Department of Employment. Commissioner Ronald Gault - The Department of Employment runs the Talent Research Bank. They circularize managerial positions within the department and to the city colleges and community based organizations.

Department of Housing and Preservation and Development. Commissioner Anthony Gliedman - At present the Department of Housing Preservation and Development has five Hispanic managers. H.P.D. has an Equal Opportunity officer and operating bureau who keeps in contact with the Hispanic community in order to recruit applicants for managerial and sub-managerial positions. Vacancies are also advertised in El

Memo to: Mayor Edward I. Koch
Deputy Mayor Nathan Leventhal
November 17, 1980
Page -2-

Diario. Commissioner Gliedman is definitely making efforts and cooperating with us in this endeavor.

Department for the Aging. Commissioner Janet Sainer - Due to the size, agency turnover is infrequent and when vacancies do occur, they are filled within the organization, therefore, efforts are focused in attracting Hispanic into sub-managerial positions and prepare them for upward mobility.

New York City Housing Authority. Chairman Joseph Christian - The Housing Authority fills its vacancies through promotions from within the agency. The Authority has a comprehensive affirmative action program and has promoted Hispanics within the agency to managerial positions.

Department of Personnel. Director Michael Nadel - The Department has hired four people during Mr. Nadel's tenure, two of which were Hispanics. The Department of Personnel posted for new vacancies during this year.

Board of Standards and Appeals. Chairman/Commissioner Vito Fossella - The Board of Standards presently has no Hispanics on the Board and the Board has not had a vacancy in its managerial contingent in over three years.

Board of Corrections. Executive Director Michael Austin - Presently the Board has no Hispanics in managerial positions but two of the six sub-managerial employees are Hispanics. In an attempt to recruit Hispanic candidates the agency has sought the assistance of government agencies and private organizations.

Fire Department. Former Commissioner Augustus Beekman - The Fire Department has designated Ms. Aurora Mojica who is the Director of the Community Relations Bureau, to act as a Liaison with the Personnel Division in order to intensify the efforts of recruiting Hispanic candidates.

Police Department. Commissioner Robert McGuire - The Police Department has appointed a Hispanic to the position of Special Counsel to the Police Commissioner. The Department will seek assistance from Mr. Ronald Gault and my office in recruiting qualified Hispanics for managerial positions.

Department of Juvenile Justice. Commissioner Paul Strasburg - Notices of vacancies are sent out to a variety of minority-oriented professional organizations. Vacancies are also advertised in El Diario. Presently, out of a total of twenty-two managerial positions, two are occupied by Hispanics.

Department of General Services. Commissioner James Capalino - The Department of General Services uses several minority organizations to recruit Hispanic candidates for managerial and sub-managerial positions. Vacancies are also advertised in El Diario and the Amsterdam News. The agency also contacts the Talent Research Bank for referrals of candidates.

Memo to: Mayor Edward I. Koch
Deputy Mayor Nathan Leventhal
November 17, 1980
Page -3-

Department of Probation. Commissioner Thomas Jacobs - Right now the Department of Probation has no Hispanics in managerial positions. Their efforts to recruit Hispanic candidates have included the use of Hispanic organizations, the assistance of former Deputy Mayor Herman Badillo and the Hispanic media.

Office of the Sheriff. Sheriff Edward Pichler - Out of the eight managerial positions none are held by Hispanics. "Vacancies in this agency are not anticipated for a number of years". Sheriff Pichler stated that every effort will be made to improve representation of Hispanics.

Washington Office. Director Julian Spirex - Vacancies in this office are filled generally from among candidates referred by people within the office. Presently there are no Hispanics in the staff. To fill future vacancies the Washington Office will get in touch with the National Council of La Raza.

Office of Economic Development. Commissioner Kenneth S. Schuman - Advertisements for managerial vacancies are placed in the New York Times, the Amsterdam News and El Diario. Job description are also sent to area colleges. In addition, the Department of Employment, the Mayor's Office and (14) minority recruitment agencies are notified of vacancies available.

Department of Cultural Affairs. Commissioner Henry Geldzahler - There are only four managerial positions in the Department of Cultural Affairs. Out of the four one is held by a Black and one by a woman. In an effort to recruit Hispanic candidates, minority arts organizations are notified when vacancies occur.

Council on the Environment of New York City. Executive Director Lys McLaughlin - Only one out of the fourteen full-time staff members of the Council only one is Hispanic, and "no new hiring for the future is anticipated".

Financial Information Services Agency. Executive Director A.J. Izzi - In the past this agency contacted the Office of Herman Badillo, the Talent Research Bank and the Commonwealth of Puerto Rico for minority recruitment. The agencies response states that there has been a lack of qualified Hispanic candidates with a background in computer science, but the agency will continue its efforts to recruit Hispanic candidates.

Community Assistance Unit. Director Denise Scheinberg - Presently the Community Assistance Unit has no managerial vacancies, but should there be a vacancy the attempts will be made to recruit applicants from the Hispanic community.

Department of Correction. Commissioner Benjamin Ward - At present the Department of Correction's workforce consists of 4,769 of whom 477 are Hispanic, however, among the Department's 77 managers, only two are Hispanic. The Department will focus its efforts on recruitment and promotion of Hispanics in three areas, Civil Managers, Uniformed Managers and Correction Officers workforce.

Memo to: Mayor Edward I. Koch
Deputy Mayor Nathan Leventhal
November 17, 1980
Page -4-

Mayor's Office of SRO Housing. Director Judith Spektor - There is only one management line in this agency. Two Hispanics were hired in the Mayor's Office of SRO Housing. One of the positions is the director of a Head Start Agency.

Office of Management and Budget. Director James Brigham, Jr. - The Office of Management and Budget has used a number of organizations for referrals of minority and Hispanic candidates. They have hired a Hispanic as an Analyst in their Community Development Task Force.

Office of the Mayor New York City Youth Board. Chairman Calvin Presley - The New York City Youth Board promoted a Hispanic staff member to the position of Assistant to the Executive Director. The Board has indicated that they will work with a number of Hispanic organizations in order to recruit a larger pool of Hispanics into managerial positions.

Department of Finance. Former Commissioner Harry Tishelman - The Department of Finance has notified the Talent Research Bank when vacancies arise, and will start placing ads in El Diario and the Amsterdam News as an effort to recruit Hispanic candidates for managerial positions.

Office of Collective Bargaining. Chairman Arvid Anderson - The Office of Collective Bargaining states that it "has no available unfilled lines for managerial positions, and should funds be made available they will attempt to employ Hispanic professionals"

Department of Records and Information Services. Commissioner Eugene Bockman - Out of the five managerial positions one is filled by a Hispanic. The agency states that when a vacancy occurs it will try to recruit qualified members of minority groups.

Landmarks Preservation Commission. Chairman Kent Barwich - Of the six managerial position in the Landmarks Preservation Commission one is filled by a Hispanic. To promote recruitment of Hispanic candidates the Commission will place advertisements in either newspapers and circulate vacancies in area colleges and Hispanic organizations.

Department of Mental Health, Mental Retardation and Alcoholism Services. Commissioner Sara Kellerman - The Department of Mental Health, Mental Retardation and Alcoholism Services has recently promoted a Hispanic female to a managerial position. And are currently recruiting for two managerial vacancies.

Department of Buildings. Commissioner Irwin Fruchtmann - Presently the position of General Counsel is held by a Hispanic attorney. The Department has been working with the Talent Research Bank and have advertised vacancies in the New York Times and Daily News. In addition, the Department will establish a trainee program, which will include a number of minority applicants.

bg
cc: Ms. Diane M. Coffey





THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

NATHAN LEVENTHAL
DEPUTY MAYOR FOR OPERATIONS

M E M O R A N D U M

To: Ron Gault
Diane Coffey
David Jones
Raphael Esparra

Date: April 29, 1981

From: Joe DeVincenzo
Meryl Libbey

Joe DeVincenzo
Meryl Libbey

The attached material is for your review prior to Thursday's 2:30 meeting in Nat's office.

Attached are two proposed memoranda which will be modified to incorporate any suggested changes you might have, and will -- if there are no objections to this approach at Thursday's meeting -- be sent out sometime next week.

Both draft memoranda are for the most part self explanatory. The proposed memo from Nat to agency heads is intended to accomplish several purposes. It is intended to:

1. Clarify the requirements of the Mayor's 1979 directive on minority recruitment.
2. Circulate a new form which all agency heads will be required to use in submitting minority recruitment statements in order to improve the quality of the agency submissions.
3. Notify agency heads that the agency recruitment statements will be monitored closely, and that the Mayor will be receiving regular reports on agency progress.

The new "Minority Recruitment Form" which will be distributed with Nat's memo to agency heads will:

1. Ensure that all agencies provide the information needed to determine whether an active recruitment was undertaken.
2. Be used to track agency performance as the recruitment statements are submitted and either approved or disapproved. By developing a current and accurate statement of the results of agency recruitment efforts as hires are approved, consideration can be given to an agency's recent minority hiring record when evaluating any

To: Ron Gault
Diane Coffey
David Jones
Raphael Esparra

Date: April 29, 1981

single recruitment statement. Agencies with poor performance records will be required to justify non-minority hires in greater detail, and their statements will be subjected to closer scrutiny.

3. Be used to prepare monthly reports to Nat and the Mayor summarizing the results of each agency's approved hires. These reports will indicate: Ethnicity/Race/Sex of all hires approved for each agency in the prior month; Ethnicity/Race/Sex of all hires approved for each agency that calendar year (including the prior month's figures). This information will be broken out according to the type of hire or promotion involved (e.g. reevaluations/level changes will be tracked separately from other hires and promotions).

Please feel free to call either of us if you have any questions or comments which you would like to discuss before the Thursday meeting.

cc: Nat Leventhal
Alan Heaps
Ron Leonard



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

M E M O R A N D U M

To: Agency Heads
From: Edward I. Koch
Date: June 25, 1981

Ed Koch

In my memo to you of October 14, 1980, I asked each of you to give the recruitment and hiring of qualified minority managers your immediate and personal attention. While I know that many of you have intensified your recruitment efforts, the results have been somewhat disappointing. I know we can do better.

I have, as you know, stressed that I will not institute a quota system for minority hires. My policy has been and will continue to be geared toward insuring that the pool of qualified candidates that the City hires from is as broad and as representative of the City's residents as possible.

Although some of you have made good faith efforts to improve the representation of Blacks, Hispanics, women and other minority candidates in your workforce, the overall record leads me to believe that some of you are simply paying lip service to minority recruitment requirements. This will stop.

Nat Leventhal is sending a separate memo to you reiterating how the minority recruitment approval process works, and which positions the recruitment requirement applies to. Nat and I will be monitoring your progress through regular monthly status reports, and Nat will, of course, continue to review and evaluate your minority recruitment statements, as well as assuming the Chairmanship of the City's EEO Committee. Additionally, I have already begun to meet over the past few months with agency heads to discuss their current hiring records and will be continuing to hold such meetings until the situation improves. I have authorized Nat to impose such sanctions as he deems appropriate on those agencies which fail to show improvement, including placing the entire agency on a pre-audit personnel system.

I would like to emphasize that this is a matter of extreme importance and that I expect your full support and cooperation.



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

NATHAN LEVENTHAL
DEPUTY MAYOR FOR OPERATIONS

M E M O R A N D U M

TO: Agency Heads

FROM: Nat Leventhal

DATE: June 26, 1981

The Mayor's memorandum of June 8, 1979 (copy attached) established an approval process for hiring candidates for managerial positions. Specifically, agency heads were required to submit to the Mayor's Office a statement on the specific efforts which have been made to identify potential candidates who are Black, Hispanic, women or members of other minority groups. These statements were also to indicate whether or not those potential candidates so identified were interviewed by the agency head in the selection process for the managerial position.

As you know, I review your statements and evaluate the specific efforts you have made to recruit minority candidates for managerial positions. As I mentioned at the most recent agency heads meeting, we will be looking very closely at your minority recruitment efforts, especially with regard to the recruitment of qualified Hispanic candidates where the record needs the most improvement. Since there seems to be some confusion among agency heads as to when recruitment efforts are and are not required, I would like to clarify the Mayor's policy.

The Mayoral memorandum of June 8, 1979 was intended to, and does, apply to all provisional, exempt or non-competitive managerial appointments. In each of these instances, you are required to recruit and consider minority group candidates and, where applicable, to explain why such a hire was not made. There is no exception, stated or implied, for positions which require special expertise for which the agency already has someone in its employ. Although I recognize the merits of promotion from within based on demonstrated ability and/or special expertise, the same minority outreach must be made for all positions. You cannot refrain from recruiting from the outside when managerial positions become vacant or are created.

- 2 -

The only instances to which this policy does not apply are re-evaluations/level changes. You need not search out candidates other than the present incumbent if you are convinced that the incumbent is performing the job capably. However, I urge you to review evaluations carefully to insure that you have the right person for the right job.

At our last meeting, I also discussed the lack of uniformity in the recruitment statements submitted to me. I have found that these statements vary dramatically with respect to the quality and nature of information provided. In order to ensure greater consistency and better control, I am asking that, effective immediately, you use the attached form to submit your minority recruitment statements together with any other comments you may wish to make. Please bear in mind in completing these forms that use of the media and the Talent Search Bank are not, by themselves, sufficient evidence of a good faith recruitment effort. Your responses to our recent inquiries have indicated that the most common recruitment approach has been through the media, particularly the Times, El Diario, and the Amsterdam News. While this approach may prove successful at times, additional efforts are required, and you will be expected to substantiate other recruitment steps. The form also requires you explain why each minority candidate was not selected.

I want to emphasize that no managerial hires/promotions will be approved without the submission of a completed form signed by the agency head. These form will be used to prepare monthly status reports on your current hiring efforts for review by the Mayor and me. As I indicated at the agency head meeting, in those cases where we feel there is a repeated lack of effort and cooperation, we are prepared to disapprove requests regardless of any commitments already made by the agency. In addition, in the severest of cases we will consider returning the agency to the pre-audit system.

I hope I have clarified any ambiguity regarding the Mayor's recruitment policy. I look forward to seeing special efforts in your hiring practices.

276



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

Executive Order No. 61

July 27, 1981

COMMITTEE ON EQUAL EMPLOYMENT OPPORTUNITY IN
CITY GOVERNMENT EMPLOYMENT

By the power vested in me as Mayor of the City of New York, it is hereby ordered:

Section 1. Committee Established. The Mayor's Committee on Equal Employment Opportunity in City Government (the "Committee") is hereby established. The members of the Committee shall include the Deputy Mayor for Operations, who shall serve as Chair, the Corporation Counsel, the Personnel Director and the Chairman of the City Commission on Human Rights.

§2. Purpose.

(a) This Order is intended to clarify and to restate existing equal employment procedures.

(b) The Committee shall ensure that the City complies with the requirements of Title VII of the Civil Rights Act of 1964, as amended, and other laws prohibiting discrimination in employment by public employers and that the City fulfills its commitment to provide equal employment opportunity.

§3. City Guidelines. Under the direction of the Chair and in consultation with the Mayor's Office of the Handicapped and the Department for the Aging, the Committee shall continue to develop, maintain and update the "Manual for the Preparation of Agency and Citywide Equal Employment Opportunity Programs" (the "Manual"), which sets forth the standards and procedures for a City Equal Employment Opportunity Program and for agency programs.

(a) The City Equal Employment Opportunity Program shall be designed to remove impediments to the employment of and to increase employment opportunities and advancement in employment of minorities, women and the handicapped.

(b) Equal employment opportunity under this Order shall include but shall not be limited to the following: recruitment, hiring, selection, benefits, promotion, transfer, separation, compensation and skills training.

§4. City-Wide Equal Employment Opportunity Program.

The Department of Personnel, in consultation with the Law Department and the City Commission on Human Rights, shall continue to review City personnel policies, practices and procedures to determine their consistency with the Manual. Based on its review, the Department of Personnel shall periodically prepare and submit, for the approval of the Chair, a City-Wide Equal Employment Opportunity Program, together with the results of its review and the comments of the Law Department and the Commission on Human Rights. The City-Wide Equal Employment Opportunity Program shall be effective upon approval by the Chair. It shall be administered and enforced under the direction of the Chair in accordance with the procedures prescribed by the Manual.

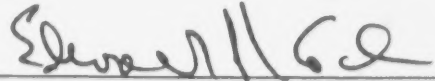
§5. Agency Programs. Each agency shall continue to analyze the composition of its workforce and to review its existing personnel policies, practices and procedures to determine their consistency with the Manual. Each agency shall periodically prepare, for the approval of the Chair, an Agency Equal Employment Opportunity Program in accordance with the standards and procedures contained in the Manual. Each agency shall also submit its program, including the results of the agency analysis and review, to the Department of Personnel and the Commission on Human Rights for their review.

(a) Each City agency shall designate a senior staff member as an Equal Employment Opportunity Officer who shall report to the head of the agency. Such officer shall ensure compliance by the agency with the applicable provisions of this Order and such duties and responsibilities as may be specified in the Manual.

(b) City agencies shall report to the Chair on a regular basis in such manner as may be provided by the Manual. Agencies shall also submit such reports to the Department of Personnel and the City Commission on Human Rights for their review.

§6. Prior Orders Revoked. Executive Orders No. 14 (1974) and 42 (1980) are hereby revoked, but nothing in this Order shall be deemed to affect the validity of policies, practices or procedures engaged in pursuant to such orders, except as the Chair may hereafter direct.

§7. Effective Date. This Executive Order shall take effect immediately.

A handwritten signature in dark ink, appearing to read "Edward I. Koch", is written over a horizontal line.

Edward I. Koch
M A Y O R



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N Y 10007

M E M O R A N D U M

TO: All Agency Heads
FROM: Mayor Edward I. Koch
DATE: November 19, 1981

In order to more closely coordinate the selection of Deputy and Assistant Commissioners, effective immediately, no offers or final selections of personnel to fill such vacancies (or similar positions with different job titles such as Deputy Director) are to be made without prior consultation with me or the appropriate Deputy Mayor. I want to stress that these consultations are not to be considered pro forma and we will not feel bound by any commitments made to such candidates in contravention of this new procedure. To make this procedure most effective, the appropriate Deputy Mayor should be notified as soon as you learn of a potential vacancy in any of these positions.

A similar procedure for other top management positions will be communicated at a later date.

If you have any questions about this memo, please discuss them with Nat Leventhal.

Ed Koch

280



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

M E M O R A N D U M

To: All Agency Heads
From: Edward I. Koch
Date: April 18, 1983

You will recall that, in my memorandum of November 19, 1981 outlining procedures to be followed in notifying my office of assistant and deputy commissioner vacancies, I mentioned that I would be seeking to implement similar steps for other managerial-level vacancies, to assure full input by my office into the selection process and to guarantee that the City is maximizing its efforts to attract women and members of minority groups to city service. While I am aware that many managerial and other vacancies are reported in some fashion, I would now like to formalize the procedure to all non-uniformed agencies. At a later date, I will be sending a directive to uniformed agencies as well.

Everything done in the hiring process must be in strict accordance with applicable civil service laws and regulations and the various prohibitions against discrimination. My five year policy that personnel decisions should be based on merit and that all agencies are free to hire and fire whomever they wish continues in full effect. My objective in establishing this procedure is to insure that you will have the widest selection of candidates from which to choose including qualified women, members of minority groups, and individuals recommended by civic and political organizations. The final decision, as it always has been, will be up to you.

Effective immediately, I would like written notification of all managerial vacancies, as well as all other vacancies at a level of \$20,000 or above, for which there are no civil service lists. Such notification should be sent to Nat Leventhal, with a copy to Joe DeVincenzo, as soon as it becomes known that a job has or will become vacant. Nat will share the information with the

April 18, 1983

-2-

other deputy mayors and other appropriate City Hall staff; the vacancies are also to be posted in accordance with Personnel Policy and Procedures Nos. 560-79 and 560-82. Notification of vacant positions of less than \$20,000 should continue to be sent to Joe DeVincenzo.

For each position submitted, please submit the following:

- Title/level
- Salary range
- Work location
- Job description
- Specific qualifications

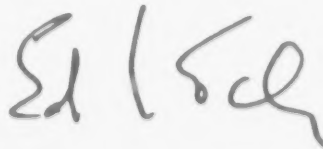
None of the vacancies submitted is to be filled until we have had a period of at least two weeks from receipt of the notification to suggest appropriate candidates for the position. Prior commitments to fill these positions will not be honored and, unless vacancies have been submitted through the above channels, authorization to fill them will not be granted.

The procedures contained in this memo, as well as those in my November 19, 1981 memo, are in addition to the procedures to be followed in seeking applications from qualified women or members of minority groups, pursuant to my memoranda of October 14, 1980 and June 25, 1981, as well as Nat's memo of June 26, 1981. Copies of all of these documents are attached for your reference.

If you have any questions about these procedures, please discuss them with Nat Leventhal.

Thank you for your cooperation.

Att:

A handwritten signature in dark ink, appearing to be 'Ed Leventhal'.



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, 10007

NATHAN LEVENTHAL
DEPUTY MAYOR FOR OPERATIONS

May 9, 1983

TO: Agency Heads
FROM: Nathan Leventhal
SUBJECT: Vacancy Notification Procedure

In order to implement the Mayor's memorandum of April 18 regarding vacancies, the attached procedure, which applies to both pre- and post-audit personnel actions, is to be used to notify the Mayor's Office of your vacant positions at a level of \$20,000 and above.

As soon as you know that a job in your agency has or will become vacant, a vacancy notice is to be filed with the Mayor's Office. For vacancies at a level of \$20,000 or above, send notices to me with a copy to Joe DeVincenzo. For those under \$20,000, notices should be sent directly to Joe.

Please be reminded that prior commitments to fill such positions will not be honored, and unless vacancies have been submitted in accordance with the attached procedure, authorization to fill them will not be granted. The Mayor's Office is to have at least 10 working days after receipt of the vacancy notice to refer qualified candidates for your consideration. The Talent Search Bank in the Department of Personnel will also continue to be a direct recruitment source for you and will keep me informed of the results of its activities.



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N. Y. 10007

DIRECTIVE TO ALL HEADS OF AGENCIES AND DEPARTMENTS

No. 86-1

February 19, 1986

Amendment of Mayoral Directive No. 80-1, May 1980
Revised Managerial Hiring Policy

I want to ensure that all hiring at the level of M-5 and above is reviewed by City Hall. I know that many of you now, on your own, consult and/or get sign-off on hires with Deputy Mayors at City Hall. But I am now making this review and sign-off mandatory, before any hires take place. The degree and level of review will vary according to the position. The following is how this new procedure, which supplements my previous Directive No. 80-1, will work. Directive No. 80-1 will continue in effect as will the Vacancy Notification Procedure, May 1983 (see attachments). This new policy is effective immediately.

For all Deputy Commissioner positions, as soon as a vacancy becomes known, you should notify my office and the Deputy Mayor to whom you report. I intend to play a direct role in the hiring of all Deputy Commissioners and no one should be hired without my prior approval. (This means no extension of offers.) You should feel free to interview candidates for these positions and be prepared to discuss with me your top three finalists for the position. The final decision, however, will rest with me.

As for managerials at the level of M-5 or above, you will now be required to consult in advance, with the appropriate Deputy Mayor. The Deputy Mayors will review with me the candidate recommended for the job; formal approval from my office will be required before hiring.

Page Two

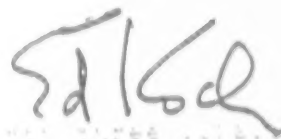
All managerial positions, including those at the M-5 level or above, must be justified in writing. You should send to the appropriate Deputy Mayor a memo on the selection process you used to recruit a particular candidate, how many candidates were interviewed, what the referral source was of the person you are recommending and why you believe this candidate is superior to any others.

Three agencies will be exempt from this new procedure -- the Police Department, the Department of Investigation and the Law Department. I have a long standing policy of not interfering in the operations of the Police Department and the Department of Investigation. Professional judgements must be made here, and I believe it is in the best interest of the City that the Police and Investigation Commissioners should have the final word on hires. As for the Law Department, the Corporation Counsel is charged with hiring the best and most qualified legal staff that can be recruited. The hiring of this staff involves judgements of legal expertise that should remain with the City's chief legal advisor, the Corporation Counsel.

So that we have a way of regularly monitoring how well these new procedures are working, I have asked First Deputy Mayor Brezenoff to submit to me a quarterly report describing the number of managers hired or promoted and the recruitment and selection methods used. The first report will be due on May 16, covering the months February through April.

If you have any questions, you should feel free to call Joe DeVincenzo for assistance.

EIK:pm
Attachs.

A handwritten signature, possibly reading "Ed/Kd", is written in dark ink.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 01-11-2001 BY 60322 UCBAW

ON 01-11-2001 AT THE BUREAU OF RECORDS



THE CITY OF NEW YORK

OFFICE OF THE MAYOR
NEW YORK, N. Y. 10007

STANLEY BREZENOFF
First Deputy Mayor

July 23, 1986

TO: Agency Heads
FROM: Stanley Brezenoff *SB*
RE: MANAGERIAL HIRING

The purpose of this memorandum is to reiterate the Mayor's directive of February 19 on managerial hiring practices. Please make sure you adhere to the following procedures:

o For any hire or promotion at M-1 through M-4, you may proceed without advance clearance from the deputy mayor to whom you report. You must, however, follow the existing pre-audit procedures currently administered by Joe DeVincenzo's office. Along with the pre-audit forms, you should provide to Joe -- with a copy to the appropriate deputy mayor -- a memorandum explaining the nature of the position, the search you conducted, and your reasons for choosing the candidate you did.

o The Mayor must interview and approve all prospective deputy commissioners before you extend any job offers. When you have identified your preferred candidate, you should submit a memo to the appropriate deputy mayor, with a copy to Joe DeVincenzo, similar to the memo described above. The deputy mayor will review it and arrange for your candidate to meet with the Mayor for an interview.

Please note that the pre-audit procedures relating to salary, managerial level, and residency, as administered by Joe, must be adhered to for all managerial positions, at M-5 and above as well as M-1 through M-4.

o For positions at M-5 and above that are not deputy commissioner jobs, you must still obtain approval from both appropriate deputy mayor and the Mayor himself before extending an offer, although interviews at City Hall may not be required. You should submit a memo, as with deputy commissioner jobs, which the deputy mayor will review with the Mayor before responding to you.

APPENDIX 2

MAYOR'S COMMISSION ON HISPANIC CONCERNS

Services/Language Services Study

Topics for review:

I. Services

1. Incidence of Hispanics among client population by program area and geographical distribution.

II. Service Delivery

1. What methods are used to disseminate information within the Hispanic community regarding available services? (i.e. bilingual ads, bilingual community representatives community outreach programs)
2. How are resources allocated, and does such allocation take into account the particular problems or concerns of the Hispanic community? What is the allocation breakdown?
3. Plans for future services? Has the agency requested any additional funds?

III. L.E.S.A. (Limited English Speaking Ability)

1. What, if any, bilingual services exist?
2. What bilingual services are planned for the future?
3. Does staff receive special training to work with L.E.S.A. applicants?
4. Bilingual forms/instruction sheets/signs?
5. Translator availability?

IV. Hispanic Representation

1. What is the Hispanic representation in the agency workforce (management/non-management), on advisory and quasi - legislative boards?

V. Lawsuits/Complaints

1. Are there any outstanding or recently settled (1 year) law suits/complaints against the agency involving Hispanic issues?

VI. Labour

1. Are there separate job categories/bonuses for workers using language skills?

VII. Coordination

1. How is information/expertise on services to the Hispanic population exchanged between programs or other agencies?

We are also interested in agencies thoughts on what the Commission can do for them, the recommendations they would like to see implemented, what type of coordinated/centralized services could be provided to agencies, etc.

APPENDIX 3-1

Submission by:

DEPARTMENT FOR THE AGING

Attached report, plus:

- EEO data
- Research paper The Hispanic Elderly in New York
- Abstract of the DFTA's Year III of a four year plan
- Directory of Services for the Spanish-speaking Elderly
prepared by the Institute for the Puerto Rican/Hispanic
elderly
- Copies of Benefits for Older New Yorkers translated into 5
languages
- A New York City Guide to Resources for the Elderly (Spanish
version)
- Various DFTA translations

DEPARTMENT FOR THE AGING RESPONSE TO QUESTIONS
FROM THE MAYOR'S COMMISSION ON HISPANIC CONCERNS

1. Does DFTA keep statistics on the incidence of Hispanics among client population by type of service?

Yes. Beginning in August, 1985 DFTA established a mandatory ongoing Client Reporting System for its subcontractors. For every participant in or client of a DFTA-funded program, subcontractors complete a Participant Registration Form which indicates a variety of demographic and other information about the client, including his/her race or ethnicity. (Prior to the creation of the system, DFTA relied on periodic sample studies to obtain such information). We now can look at such factors as age, sex, living arrangements, income status and race/ethnicity by type of service. Such analyses, which will be made on an annual basis, will enable us to compare the proportion of Hispanic elderly served with the proportion of Hispanics in the City's total elderly population - 6.9%. The first of these will be done shortly after we close the first year of reporting.

2. The existence of bilingual services within the separate services.

At this time we do not have data to show how many programs currently have bilingual staff; however such information could be gathered through a survey.

3. Number of Hispanics in agency staff by job categories and on advisory boards.

As of June 27, 1986, there were 31 Hispanic men and women on DFTA's central staff constituting 9.4% of the total staff. 19 of the 31, or 61%, were professionals and/or administrators. (See attached breakdown).

At this time, one member of the 18 member Advisory Board is Hispanic. However, we do have openings and would welcome suggestions for new Hispanic members of the Board. We are also working with an Hispanic Planning Committee for our new Hispanic Services Project (see question 7).

4. Number of Hispanic organizations that contract with DFTA.

As of FY'86, DFTA had 15 contracts with Hispanic sponsors. These contracts were for \$1,615,064 or 5.6% of all DFTA contracted funds from the Older Americans Act, State Community Services for the Elderly Act, State Supplemental Nutrition Assistance Program, Employment, Recreation and Tax Levy. In addition, DFTA had 16 contracts with non-Hispanic sponsors whose proportion of Hispanic clients ranged from 12 to 60%. If we were to assume that the amount of contracted funds were spent in proportion to the Hispanic elderly served, then \$1,227,655 in these contracts, or 4.2% of DFTA contracted funds would support services to Hispanic clients. Overall, \$2,842,719 or 9.8% of DFTA's contracted funds are targeted to the Hispanic elderly.

5. What is the contractual arrangement with agencies regarding services to the Hispanic population?

Under the Older Americans Act, DFTA, as an Area Agency on Aging, is mandated to target its services to those in greatest social and economic need. Each year in contracting with each community-based agency, DFTA requires the agency to indicate to whom services will be delivered: how many low-income elderly, elderly 75 and over, handicapped elderly; and minority elderly are expected to be served. As indicated in response to question 1) above, agencies also now report on individual clients so that the Department is able to compare client profiles by program to ascertain whether a) target groups are being reached and b) they are being served at least in each group's proportion in the total elderly population in a program's service area. In those cases where programs are not reaching target groups, they are given technical assistance to improve their performance. See question 7) below.

6. Percent of DFTA materials translated into Spanish and other languages.

Although it is difficult to put a percentage to the number of DFTA materials translated into Spanish and other languages, it is possible to say that all the most critical informational materials are available in Spanish. Among these are a special five-borough Spanish language guide to aging covering all five boroughs (available for broad distribution); the Department brochure which describes services funded by DFTA; the basic document which describes the major entitlements of the City's elderly, Rights and Benefits of Older New Yorkers (available in 11 languages including Spanish); Benefit Tips, one-page "tip sheets" about specific benefits; the annual mailings announcing new HEAP benefits; and the Senior Security Services brochure for crime victims.

Other special efforts made to inform minority elderly about services available through the Department include placement of advertising, posters and pamphlets by the Employment Unit in areas and neighborhoods where minority elderly live; outreach in Spanish by the Foster Grandparent Program; and special information and workshops in Spanish at the annual "Ability Is Ageless" Fair.

Also, the announcement of the Public Hearing held annually by DFTA in each borough is prepared in Spanish and English and paid advertisement is placed in a major Hispanic daily newspaper. During the hearings, translation into Spanish is available.

7. The Minority Services Enhancement Project.

In 1980, the Department submitted a proposal to the Administration on Aging directed to improving services to minority elderly. The three-year grant awarded to the Department to conduct the Minority Services Enhancement Program focused on improving services to Hispanic

elderly who because of language and cultural differences face real barriers to service. A unique feature of the Project was the attention directed to serving "cluster" populations of minority elderly who live in areas where they are not the dominant group. A wide variety of program strategies were developed and tested. The techniques and programs found most successful in reaching and serving elderly with language barriers are described in the Project report, Enhancing Services to Minority Elderly. At the conclusion of the Project the Department continued two of these activities as part of its ongoing work. Spanish speaking workers were placed in the Department's Central Information and Referral Unit with a special telephone number (The Hispanic Hotline) to provide entitlement and other information, referral and case assistance to callers. In addition, bilingual Department staff were assigned to work at program sites in Brooklyn and Queens to reach clusters of Hispanic elderly living in neighborhoods that were primarily non-Hispanic. Subsequently the Department turned this activity over to two Hispanic community-based agencies, Raices and The Institute for the Puerto Rican and Hispanic Elderly.

Because of its interest in increasing services to the Hispanic elderly, this year the Department sought and received additional tax levy funding from the Mayor to extend services to this growing elderly population, particularly those who live in communities where they are not the dominant population. Staffing of the Hispanic Hotline will be expanded, a translator/public information specialist will be available, increased assistance regarding SSI, HEAP, Food Stamps and other benefits will be provided in Spanish and expanded participation in Senior Center activities will be an important thrust.

8. Top 10 Hispanics in the Department:

Four of DFTA's 21 managers (19.0%) are Hispanic. They hold the positions of: Comptroller, Counsel, Director of Senior Employment Programs, and Assistant Borough Director. In addition, 15, or 8.2%, of DFTA's professional staff are Hispanic.

en

APPENDIX 3-2

Submission by:

DEPARTMENT OF CONSUMER AFFAIRS

Attached report and memo, plus:

- DCA Foreign Language Translators attachment to agency telephone directory (lists employees who speak a second language)
- List of licenses administered by DCA
- How To Manage A Small Business (syllabus)
- Selection of DCA pamphlets and Fact Sheets in Spanish, English, Chinese and Korean
- Newspaper articles by Commissioner Aponte from El Diario
- Research paper Drug Dollars and Nonsense (English only)

To better acquaint the Commission with the Department of Consumer Affairs, the agency's response to the questions asked in the report will follow a brief overview of the department, along with individual descriptions of how we interact with the general public. The Education and Outreach Division, whose sole responsibility is to make the agency more accessible to the public, will be described in detail at the end of this report.

The Department of Consumer Affairs (herein referred to as DCA) is a comprehensive consumer protection agency. DCA is empowered to mediate consumer complaints, promulgate consumer protection regulations, investigate deceptive trade practices, issue fines and violations and conduct administrative hearings. The agency is also responsible for licensing many categories of businesses and services. A detailed listing of the categories of businesses and services we license is attached. (Addendum #1).

DCA as a law enforcement agency is responsible for enforcing all laws relating to the sale and offering of goods and services within New York City. In this capacity, we interact on a daily basis with members of the Spanish-speaking population, as well as with all others. What would perhaps be most helpful is to describe the way in which we attract our clientele; consumer and merchant.

COMPLAINTS

Typically, consumers come to us for assistance with a problem they are having with either services or goods they have sought to obtain. Complaint staff serve as mediators between the consumer and the merchant (or service provider) in an effort to resolve their dispute.

The Division is responsible for handling consumer complaints that come to us through a Hotline number that is listed in each of our publications, as well as general telephone listings. To handle calls by Hispanics who are Spanish-speaking only, we have instituted a Spanish Hotline number to which they are referred. There is also a Chinese equivalent to this number, where Asians are encouraged to call for assistance in their language.

The central complaint number receives 12,500 calls on a monthly basis. Of this figure, one-third are complaints where the department has jurisdiction. Two-thirds of the calls are referred to other agencies for assistance. Our central number, although largely a referral service, is seldom a wasted telephone call. Staff refer complaints against merchants licensed or regulated by other City, State or Federal agencies directly to the appropriate agency. In addition, business vs. business complaints are directed to the Better Business Bureau.

ENFORCEMENT

DCA has a large enforcement staff. There are 125 inspectors whose function is primarily to go out to conduct routine departmental checks to ensure compliance with the law. In addition, they respond to complaints generated by consumers. Inspectors are also used in a less adversarial capacity in that they make presentations as part of the agency's Speakers Bureau. (More detailed information about the Speakers Bureau will be covered as part of the description of the agency's Press Office.

LICENSES

License Issuance staff work in the main office and provide service to the general public who are interested in obtaining a license to operate in one of 75 categories of businesses we license. We have made presentations to merchant associations in the past on an as requested basis to explain the license issuance process; with either staff or interested parties present (when necessary) to translate.

RESEARCH

Our Research Division has done a series of occasional papers on issues of concern to consumers. A complete listing of these papers (Addendum #2) is attached and copies of the reports will be forwarded upon request for your review. To date we have not had the financial ability to translate these reports into Spanish.

ADJUDICATION

DCA has the authority to hold hearings regarding activities for which a license is or may be required. When a dispute arises between a merchant (or vendor) and consumer, a notice of hearing is sent to the parties involved. The notice stipulates that the hearing will be conducted in English and that if one or both of the parties are not English-speaking they should come with an interpreter. In the event that someone comes without an interpreter, the hearing officer asks if they would like one designated, provided we have one available in their language.

COUNSEL

The role of Counsel's Office is to develop and promulgate regulations as directed by the Commissioner; prosecute violations of law committed by businesses required to be licensed; provide advice and interpretation of the laws enforced by the agency to the general public, and other governmental bodies, and pursue court litigation on matters within the jurisdiction of the department. The public they most often come in contact with are usually professional and English-speaking. Regulations governing the businesses we license are not translated into Spanish.

PRESS

The Press Office handles all media inquiries. All press releases are translated into Spanish and offered to the Spanish daily papers for publication. Copies of the articles published in the Spanish language daily El Diario-La Prensa are included in the package of material that accompanies this report.

The Speakers Bureau is also part of the Press Office. Requests for speakers are made to this office. Depending on the subject matter to be discussed and the audience, a speaker is selected from a list of DCA employees based on their expertise.

EDUCATION & OUTREACH

The Education and Outreach Division's mandate is to provide the public with educational information to enable them to make informed decisions in the marketplace. A lot of what the Division accomplishes depends heavily on the work of our five neighborhood offices. The offices function primarily as local complaint centers and provide valuable assistance in a number of areas. Three of the offices are directed by Hispanics.

Besides the Director, each office has a part time senior citizen and a large volunteer staff to assist with the workload. The volunteers undergo an intensive training program on how to process and mediate consumer complaints. The neighborhood offices offer more personalized service to the communities they service. Often, they assist consumers with problems that do not

fall under a normal complaint category. And like the staff who cover the Hotline numbers, they too refer consumers to appropriate governmental agencies for assistance when the problem does not come under our jurisdiction. The neighborhood offices have proven to be a good way to keep the Agency informed as to problems that consumer encounter in their communities.

The department also has a wide range of consumer information that is displayed at these offices. We have made an effort to make this information available in other languages. As you can see from the enclosed information, a number of our brochures have already been translated into Spanish and Chinese. Due to the large number of Korean green grocers operating in the City, we also have translated pertinent information for them.

In an effort to secure funding to assist in translations, we have begun reaching out to embassies and merchants association city-wide. Thus far, a Korean group has expressed interest in publishing our articles in one of seven Korean dailies. As in the case of the Spanish daily, articles continue to appear in several Chinese newspapers as well. A copy of an article is enclosed (Addendum #3).

In addition, the Commissioner has an assistant whose responsibility is to assist Hispanic merchants with problems they might be having with the department. As part of her outreach activities, she has spoken with representatives of various

Hispanic associations operating within the City as well as with Chambers of Commerce, for which Hispanics compose a substantial number of their membership. She works closely with the Mayor's Office of Hispanic Affairs and the Hispanic Business Office, putting together programs to instruct Hispanic merchants on rules and regulations that govern appropriate business practices in the marketplace.

Last December, the agency, together with the offices mentioned above, participated in a program for Hispanic consumers and merchants in East Harlem. The affair was attended by over 1,500 people. A similar program is scheduled for Queens and the Bronx. Together with other city agencies, the Department also is part of a program that was funded by the New York State Department of Education, through Bronx Community College to train Hispanic merchants. The full program covers many areas from marketing strategies to bookkeeping. Department staff instruct merchants on weights and measures regulations as well as consumer protection and licensing laws. A copy of the curriculum is enclosed. (Addendum #4).

Education and Outreach Division staff attend community board meetings, block association meetings and other community activities for which requests are made for speakers. Recently, the Department held a public officials seminar at the CUNY Graduate Center. Elected officials and public servants, who on a daily basis refer constituents for assistance, were invited to

attend. The objective of the conference was to make them aware of the agency, and our role in the marketplace, and to express our desire to be more fully utilized by their respective constituencies.

Staff have been on Spanish language radio and we are planning to do programs on a weekly basis with Chinese radio, providing advice and suggestions to consumers.

In the coming months the Division will be conducting workshops on home improvement contractors and on how to order/deliver furniture. Together, these two topics represent the two largest areas of hispanic consumer complaints. The workshops will be co-sponsored by the Senior Housing Action Network, Cornell Cooperative Extension and the Neighborhood Housing Services, as a means of ensuring maximum participation. Several other conferences are also planned. They are:

Federal Trade Commission/Auto Dealers
A Banking Colloquium (agenda enclosed)
National Hispanic Expo

The last event mentioned is a major Hispanic consumer exposition that last year was attended by over 20,000 Hispanics.

Finally, the Division has a tape library, Tel-consumer/Tel-Law, which enables consumers to call and hear tapes on important legal

and consumer issues. The program is co-sponsored with the New York Bar Foundation. A pamphlet explaining this service is included in our material. Several of the tapes were translated into both Spanish and Chinese. The five tapes selected for translation were on subjects of concern to Hispanics.

In terms of translator availability, our foreign language directory which lists all employees who are bilingual is included. (Addendum #5).

In the past, information selected for translation had been identified by our staff as needed or expressly requested, as in the case of the Korean merchants.

In the future, the agency intends to translate as much information as necessary to assist both consumers and merchants pending the resources being available.

Given the FY 87 budget has no new service enhancements we will be hard pressed to deliver the quality service we have provided in the past.

In the event our budget cannot pay for new materials we will make those items known to OMB for future consideration.

DEPARTMENT OF CONSUMER AFFAIRS
ETHNIC ANALYSIS

<u>DIVISION</u>	<u>TOTAL STAFF</u>	<u>HISPANIC STAFF</u>
Commissioner's Office	8	2
Complaints	20	7
Enforcement	100	15
Bingo/Trade Waste	21	3
Licenses	43	8
Research	8	0
Adjudication	24	2
Counsel	24	3
Press Information	5	2
Budget & Administration	40	5
Inspector General	7	2
Computer Services	9	0
Education/Outreach	10	4
	<u>319</u>	<u>53 (16.6%)</u>

To: John Casey

From: Diana Carbonell *DC*

Subject: Hispanic Commission Report

Date: June 25, 1986



In answer to the questions you raised in your memo of June 13, 1986, I would like to inform you of the following; the Department keeps no records on the number of non-english speaking consumers involved in hearings in the adjudication division. As far as the language bank system is concerned, to date, there have been no complaints from any employees who have been called upon to perform as translators.

With respect to the complaint hot line numbers, during the month of May there were 120 spanish and 27 chinese consumer complaints to these numbers. The Department's hot line number receives on average over 8,000 calls a month. Of these only one third come under the Department's jurisdiction, the rest are referred to the appropriate Agency for follow up. You should also know that since Angela Lee has been in the employ of the Education and Outreach Division, the calls have increased and will much more, as she continues her monthly appearances on the chinese radio station.

Attached you will find a list of the top nine hispanics in the Agency.

If you have additional questions, please feel free to call me at 566-0414.

APPENDIX 3-3

Submission by:

DEPARTMENT OF CORRECTION

Attached report, plus:

- The 11 attachments listed on page 9

REPORT ON SERVICES PROVIDED TO
HISPANIC/SPANISH SPEAKING PERSONS
WITHIN THE NEW YORK CITY
DEPARTMENT OF CORRECTION

Report Prepared By:

Robert L. Cash
Deputy E.E.O. Officer

May 15, 1986

Jacqueline McMickens, Commissioner
Gail W. Boyd, E.E.O. Officer

INTRODUCTION

By 1990 Hispanics will represent 24 percent of New York City's population. By the year 2000, Hispanics are expected to constitute the largest minority group. The following statistics therefore represent this increase and reflect the emergence and impact of the Hispanic population within the New York City Department of Correction.

The breakdown of the Hispanic Inmate population by sex is as follows:

	<u>Total Inmate</u>	<u>Hispanics</u>
<u>Males</u>		
Adult	9,986	3,439
Adolescent	<u>2,165</u>	<u>656</u>
Total	12,151	4,095
<u>Females</u>		
Adult	693	207
Adolescent	<u>110</u>	<u>48</u>
Total	803	255

Total Inmate Population - 12,954

Hispanic male adults represent 26 percent of the total inmate population and constitute 34 percent of the total adult male inmate population (9,986).

Hispanic ^{female} ~~male~~ adults represent less than 1 percent of the total inmate population and constitute 30 percent of the total female adult inmate population.

Hispanic adolescent males (665) represent 30 percent of the male adolescent population (2,165), and 5 percent of the total male population (12,151).

Hispanic adolescent females represent 43 percent of the female adolescent population, and 50 percent of the total female inmate population.

Agency-wide Hispanic correction officers are a focus job group and represent 15.7 percent (920) of the correction officers total population (5,842). They are a special emphasis for recruitment in the Department.

SERVICES PROVIDED TO THE HISPANIC POPULATION

A. Social Services

The Social Services Program acts as a crisis intervention service for the inmates at various institutions under the Department's jurisdiction. Spanish speaking Correctional Counselors assist inmates in the following areas while they are incarcerated.

a) Drug/Alcohol/Substance Abuse Counseling

Bilingual staff is available in each facility

b) Narcotic Anonymous/Alcoholic Avon

c) Social Services, Home Relief, Aid to

Dependent Children (ADC), Food Stamps,

Medicare, other health services

Specifically, Social Services interfaces with the Puerto Rican Commonwealth concerning its Hispanic populaion. The Commonwealth is a multi-service agency.

The South American and Central American Consulates are often utilized when a specific problem exists concerning a Hispanic Inmate. There are 64 employees, 6 of which are Hispanic as follows:

1. David Santiago	Correctional Counselor
2. Artemio Vega	"
3. Carlos Martinez	"
4. Persio Maldonado	"
5. Louis Rivera	"
6. Annie Lopez	"

During the inmate orientation, bilingual information is disseminated concerning program services. All inmates are eligible, and staff will come to the inmate should he or she not be able to come to the offices. There is a bilingual social services staff counseling at each facility.

B. Ministerial Services

The Ministerial Services Program provides religious services and counseling to inmates. Pastoral, spiritual care and guidance are also provided to the inmates by Catholic, Rabbinical, Protestant Clergy and Imams.

Approximately 80 percent of all Hispanics attend the Catholic Services which is composed of the following programs:

- a) Bilingual Bible Study - Spanish and English
- b) Mass - Spanish and English
- c) Protestant Services - Spanish and English

There are 12 Catholic Chaplains, all of which can converse adequately in Spanish and English. Of these 12 Chaplains, 5 are Hispanic in ethnicity. The total staff for ministerial services is 34 persons. Of these 34, 17 persons can converse adequately in Spanish and English.

In addition to a, b, and c, Prayer Meetings, Bible Classes, Weekend Services and Retreats are all conducted in Spanish and English. (See Enclosures). The religious songs and song books all have Spanish translations and are made available to the Hispanic population on a consistent basis.

Future plans have been made to recruit more Hispanic Chaplains who are proficient in Spanish and English. On a daily basis, Sister Simone who is adequate in Spanish, counsels 15-20 inmates.

Below is a list of Hispanic (Spanish) materials used in this program:

- a) El Escapulario Verde
- b) Devocionario
- c) La Palabra Diaria
- d) Rezad El Rosario Diariamente
- e) Manual Para El Catolico De Hoy
- f) Faith Brings Life
- g) Share The Gift
- h) Mass of Thanksgiving - April 2, 1986
- i) The Link - May 9, 1986 (Spanish/English Newsletter)
- j) Rikers Retreat - May 16, 1986
- k) Rikers Retreat - February 19, 1985
- l) Rikers Retreat - October 4, 1985
- m) Rikers Retreat - March 16, 1984
- n) Rikers Retreat - June 15, 1984
- o) Song Book (70 pages)

Information concerning the Ministerial Services Program is disseminated to all inmates during the orientation process - Spanish/English. There are no limitations to participation in the program. As inmates, they are entitled to participate. These program services are normally held in the chapels at the various institutions to which there is assigned a bilingual Chaplain, Spanish/English.

C. Law Library

The Law Library Program maintains law libraries in each facility under the jurisdiction of the Department. Current state and federal reporters are maintained for use by all inmates. Civilian staff as well as inmate staff assist inmates in the use of the library and are bilingual.

Inmates are informed about the Law Library Program in their orientation upon entry into the institution. In addition, signs advertising the program are posted in Spanish in each housing area with sign-up sheets posted adjacent to the signs.

A room has been designated in each facility as a law library. The room is accessible to all inmates,

All law libraries are accessible to Spanish speaking inmates.

The work force of the law library is composed of 40 persons. There are 17 legal coordinators, 9 of which are bilingual, and listed as follows:

C.O. Diaz	C.O. Rosa	C.O. Sevilla
C.O. Rodriguez	C.O. Abreu	C.O. Velez
C.O. Acevedo	C.O. Rodriguez	C.O. Bonilla

D. Education/Recreation

The educational programs are offered in each facility. Accommodation for the Spanish speaking individual poses no problem. There are no barriers for participation in the program for non-English speaking inmates.

Inmates are eligible to take education courses if they have the ability to learn and understand the material being taught. There is an educational program available to suit the needs of every inmate. Courses range from basic reading to college courses. Pre-tests are required before entrance into some courses. Accommodations can be made for Spanish speaking inmates to take the pre-test and any subsequent course.

All inmates are eligible to participate in recreational programs. Arrangements can be made to accommodate the recreational needs of Spanish speaking inmates.

A wide variety of educational programs are offered to inmates through the New York City Board of Education, the New York Board of Higher Education, and a consortium of private contractors. Additionally, a variety of recreational programs are offered to inmates through this program, many are in Spanish.

Rooms have been set aside in each facility for educational purposes.

Each facility has indoor recreational rooms or gyms as well as outdoor recreational spaces. Signs are posted in Spanish and English to access inmates to these areas.

Inmates are informed about the education/recreation program in their orientation upon entry into the institution. Additionally, posters are posted in various locations within each institution including the housing areas in Spanish and English.

E. Food Service

In menu planning, consideration is given to Hispanic meal preferences.

F. Attachments

Documents listed below are available to the Hispanic population concerning services made available by the Department of Correction.

1. Inmate Grievance Resolution Program

(1) In English and Spanish

2. Minimum Standard

(1) In Spanish

3. General information and schedule of all programs in the Manhattan House of Detention

(1) In Spanish

4. Food service schedule for the month of May with consideration for the Hispanic inmates on the following days, May 6th, 12th, 19th, 28th and 31st.

5. Pamphlet from Correction Personnel to inmates containing procedures for orientation, legal research, institutional programs, medical procedures and disciplinary code.

6. Request and consent for media interviews

(1) English and Spanish

7. Restitution for the destruction of City Property

(1) English and Spanish

8. Limitation of telephone rights

(1) English and Spanish

9. Removal of non-permissible item(s), incoming correspondence/packages

(1) English and Spanish

10. Request for library services (A.M.K.C.)

(1) English and Spanish

11. General information and schedule of all programs (A.M.K.C.)

(1) English and Spanish

APPENDIX 3-4

Submission by:

DEPARTMENT OF CULTURAL AFFAIRS

Attached report



MEMORANDUM

TO: John Casey
FROM: Richard Bruno *Richard Bruno*
SUBJECT: Commission on Hispanic Concerns
DATE: 14 July 1986

I. SERVICES AND SERVICE DELIVERY

According to the Association of Hispanic Arts, which is the service organization assisting Hispanic arts groups and artists throughout the city, there are approximately 95 to 100 hispanic arts organizations in New York City and at least 1500 unaffiliated artists who identify themselves as Hispanic.

The various kinds of financial support that the Department of Cultural Affairs provides can be broken down into three main areas: institutional support, which is provided to a small number of groups (32) located in city-owned buildings or on city land; capital support, which is also limited to arts groups in city-owned facilities; and program support, which currently is used to purchase cultural services from some 350 arts groups throughout the city.

Hispanic groups were supported in Fiscal Year 1986 according to the following table:

TYPE OF FUNDING	AMT BUDGETED	# HISP GROUPS	AMT TO HISP
Institutional	\$61.4 million	1	\$396,000
Capital		3	\$1.3 million
Program	\$ 9.4 million	29	\$581,600

It must be noted, however, that many additional arts groups supported by the Department, while not themselves Hispanic,

nevertheless provide substantial and important cultural services to Hispanic populations. Examples among the city-funded cultural institutions include the Bronx Museum, most of whose exhibits and outreach programs serve the surrounding Hispanic community; the New York Shakespeare Festival, which produces an annual Latino Festival (to be presented this summer free at the Delacorte Theater in Central Park during the month of August); and the People's Center at the American Museum of Natural History. Program contracts that have a large Hispanic outreach component include the borough and local arts councils, Lincoln Center (for its Out-of-Doors Festival); and the numerous arts-in-education programs such as Arts Exposure, Arts Partners, Studio in a School and the Dramatists' Guild's Young Playwright's Program.

In addition to these three areas, the Department operates a variety of programs and projects that provide material and personnel assistance to arts organizations and artists. Such programs as Arts Apprenticeship, Percent for Art (where the very first completed project was a sculpture by an Hispanic artist in a park in East Harlem); the Work Experience Program; and Materials for the Arts (a recycling program that provides needed materials to arts organizations) are of considerable assistance to Hispanic arts groups.

During the past year, the Department has been closely involved with activities at El Museo del Barrio, which is located in a city-owned facility and is the only Hispanic organization that receives operating support from the city. Because of persistent managerial problems we began to investigate carefully the entire programmatic, fiscal and administrative situation at Museo. Subsequent to our actions, the Department of Investigation began its own investigation and required that funds to Museo be frozen. This state of affairs continued for some time until the Board of Directors of Museo terminated the Executive Director. It had been our determination that the Director's style of management and administrative shortcomings were largely responsible for Museo's ongoing crises. Shortly thereafter, the Department petitioned DOI for approval to pay back salaries and resume support (on a strict cash-reimbursement basis); DOI gave this approval. For the past several months, therefore, funding has been resumed; DCA professional staff has closely monitored Museo activities and been available for advice and counsel; and an executive has been loaned to Museo (from the Art Commission) by Deputy Mayor Esnard to assist in the reorganization. These activities suggest the degree of commitment that the City has to the survival and renaissance of this important cultural institution.

Information concerning Department programs and opportunities is disseminated in general through press releases; announcements in FYI, our quarterly newsletter that is sent to over 30,000 artists and arts groups; and with the assistance of service organizations and local arts councils. Special outreach to Hispanic arts groups involve translating our releases into Spanish for the

Spanish-language media and actively working with the Association of Hispanic Arts (which publishes an excellent monthly newsletter), the Caribbean Cultural Center and other Hispanic groups serving citywide audiences.

In terms of allocation of funds, the Department does not have any kind of a per capita formula that is implemented either on an ethnic or geographic basis. Secondly, almost all of the Department's budget is allocated in the Mayor's Executive Budget or by the Legislature during budget adoption; only a small portion of the Program budget (\$500,000 out of almost \$10 million) is awarded according to determinations made by the Commissioner and her professional staff. Within these rigid parameters, the Department is acutely aware of the needs of Hispanic and other minority arts groups and attempts wherever possible to address those needs with financial and other support. It has been a top budget priority for us for several years to obtain adequate increases in that portion of our budget that is discretionary, so as to have the ability to respond to perceived needs and important proposals. In Fiscal 1986, the Mayor doubled this allocation, bringing it to its current \$500,000 level. We continue to lobby for further increases.

II. L.E.S.A. AND HISPANIC REPRESENTATION ON STAFF

A number of staff members are English-Spanish bilingual, including several in key public-interface positions (agency receptionist and program staff in Materials for the Arts, Work Experience and Program Services, for example).

There are currently no plans for additional bilingual services nor is there any special training available for staff in dealing with L.E.S.A. constituents or separate job categories or bonuses for workers using language skills. Bilingual forms are not produced, it being our experience that the client population (i.e., nonprofit arts groups) is almost always literate in English, because all funding sources public and private, conduct their business in English. In our ten years of existence, we have never received a complaint or a request that we translate our forms and other printed materials.

Among the Department's full-time staff of 46, seven are Hispanic. There are no Hispanics among the nine managerial level personnel. On the Mayor's Advisory Commission for Cultural Affairs, an appointed body of arts and civic leaders that advises the Mayor and Commissioner on matters of cultural policy, three out of 19 are Hispanic.

III. LAWSUITS/COMPLAINTS

There are no outstanding or recently settled lawsuits or complaints against this agency involving Hispanic issues. There was a freedom of information request filed with the Department by the dismissed director of an Hispanic city-funded cultural institution.

IV. COORDINATION

Presently, information and expertise on services to Hispanic populations is not exchanged in any regular way with other city agencies. The Commissioner and other staff have responded to specific information requests from various elected officials and city administrators.

APPENDIX 3-5

Submission by:

DEPARTMENT OF EMPLOYMENT

Attached presentation to Commission meeting, plus:

- **Tables and charts referred to in the text**

THE DEPARTMENT OF EMPLOYMENT'S HISPANIC INITIATIVE

Manuel A. Bustelo, Commissioner

Presented to the Mayor's Commission of Hispanic Concerns

City Hall

December 9, 1985

Outline

I. Economic Problems of New York City

1. Poverty, Unemployment
2. Population Eligible for Employment and Training Programs

II. Profile of the Department of Employment

1. Budget and Participants
2. Population Served
3. Contractors
4. Performance

III. Hispanics in New York City

1. Composition
2. Need

IV. Department of Employment Service to Hispanics

1. Share and Characteristics of Hispanic Participants
2. Hispanic Organizations
3. Performance
4. Occupations of Job Placements

V. Recent Initiatives

1. Hispanic Enrollment
2. Incentive Money
3. DOE Staffing
4. Technical Assistance to Contractors
5. Public Relations
6. Translation Unit
7. New Approaches to the Private Sector

IV. List of Charts

1. N.Y.C. Eligible Population
2. DOE Programs: Funding and Participants
3. Equity of Service: Demographic Groups
4. Equity of Service: Geographic Areas
5. DOE Performance Outcomes: Program Year 1984
6. Measures of Need: NYC, Puerto Ricans, Other Hispanics
7. Profile of Dominicans in N.Y.C.
8. DOE's Hispanic Participants
9. Outcomes for Hispanics in DOE Programs
10. N.Y.C. Occupational Distribution
11. Occupations of Job Placements: Hispanics, NonHispanics

I am very happy to have this opportunity to speak to you today on matters of critical importance to us and to the City. In my remarks, I will focus on three key issues. First, I want to give you some background on the socioeconomic problems the city faces, as well as on the resources and programs the Department of Employment (DOE) has available to deal with them. Second, I will focus on the particular problems faced by the city's Hispanic population and on the services they have received from DOE. Finally, I will outline the initiatives I have taken as Commissioner to increase resources and to allocate them more effectively, both to Hispanics and to others in need of our services.

First, then, what are the social and economic problems faced by many of our city residents?

According to the 1980 Census, 18 percent of New York City families were at or below the poverty level (defined as a family of four with an annual income of \$7,412) in 1979. Minorities were more than twice as likely as Whites to fall within this category. Thirty-six percent of Hispanic families were poor as were 30 percent of Blacks compared to 16 percent of Asians and 13 percent of Whites.

The other major indicator of need is unemployment. In 1984, 8.9 percent of the city's labor force, or 270,000 persons, were unemployed. This rate has remained about the same throughout 1985. Those hardest hit by unemployment are minorities and youth. In 1984, the minority rate was twice that for Whites, about 13½ percent each for Blacks and Hispanics compared to seven percent for Whites. For teenagers, the unemployment rate was about 30 percent --- for minority teenagers, it was 50 percent. The official unemployment statistics indicate only a portion of the problem; they count only those actually seeking a job. If we took into account the so-called 'discouraged workers', that is, persons able to work who have given up the search, the number of unemployed in the city would double.

In this universe of need, we estimate that there are about one and a half million persons eligible for the employment and training programs offered by DOE. Using the measures of poverty and unemployment, Chart 1 gives the makeup of the population we aim

to serve. As you can see, they are somewhat more female than male; about 20 percent are youth; ethnically, they are 14 percent White, 51 percent Black, 33 percent Hispanic, one percent Asian; 30 percent of them are welfare recipients; 60 percent are high school dropouts.

To deal with the problems I have outlined and to serve the eligible population, DOE in the last completed year had a total budget of 100 million dollars with which it served 98,651 persons.* Chart 2 provides a more detailed breakdown of the programs involved.

The great bulk of our funds are allocated by the federal government under the Job Training Partnership Act (JTPA). The federal government distributes the funds to the states which in turn distribute them to localities, or, as they are called, Service Delivery Areas (SDAs). At every level, the funds are allocated by formula, depending on size and need. New York City with its JTPA budget of almost a hundred million dollars is by far the largest SDA in the country.

In addition to the JTPA funds, DOE's budget includes city tax levy money and Municipal Assistance Corporation (MAC) money for City Works and some smaller special grants from the United States Department of Health and Human Services, and the State Departments of Social Services and Education.

With these funds, DOE administers employment and training programs throughout the city. The core of our effort is what we call the Block Grant which represents 59 percent of our funds and 45 percent of our participants. The Block Grant refers to the basic training and direct job placement programs we operate for adults and youth. Most of the Block Grant is administered directly by DOE; 13 percent of it is administered directly by the Private Industry Council which develops customized training programs for particular private sector firms. The other sizeable portion of our budget is the Summer Youth Employment

* In the current year, our budget is over 115 million with which we expect to serve about 113,000 participants.

Program (SYEP) which provides work experience for seven weeks in the summer for youth aged 14 to 21. The 'Special Grants' refer to specially funded programs for specific groups such as veterans, older workers, welfare recipients, and refugees. Finally, City Works is the work experience and job placement program for disadvantaged youth who do not meet the entry criteria of our training and direct placement programs.

Perhaps the most significant fact shown by the Chart is that in all of its full-time year-round programs, DOE was able to serve only about three percent of the eligible population.

Because our resources are obviously so limited in comparison to the need, we must maximize them to the greatest extent possible. For one thing, we must ensure that even if we can serve only a small percentage of those eligible, at least every segment of the eligible population is equitably represented in the programs. Chart 3 refers once again to the demographic composition of the eligible population but this time we have also outlined the makeup of the participants actually served by the agency in the basic grant programs last year. As you can see, we serve all groups fairly close to their eligibility. The one exception is in the education category where we 'overserve' high school graduates and 'underserve' dropouts. This pattern is characteristic of JTPA programs across the nation and represents a major change from CETA. JTPA places a premium on successful outcomes and therefore on service to those who can benefit most from training and job placement programs. To compensate for this development, we are making efforts to reach the more disadvantaged groups, especially youth, in our City Works Program and in some of the special grant programs.

We do the same type of evaluation of our service levels to the geographic areas of the city. Chart 4 shows our estimate of the need of each borough based on unemployment and welfare data and the actual percentage of participants drawn from each over the past year. As you can see, DOE had some underservice to the Bronx compared to Queens but we have taken steps to change this situation for the current year.

The programs which DOE funds and manages are directly operated by a network of about 100 contractors located throughout the city. The overwhelming majority of the contractors are community-based organizations but there are also private-for-profit companies, city educational institutions and proprietary schools. These contractors enroll and train participants under agreements with DOE which set the requirements for enrollments and outcomes. The contractors are regularly assessed for their performance both with their participants and with specific groups of them. Increasingly, we have come to evaluate our programs for their long-term effectiveness, namely, for their success in increasing participant's earnings and decreasing their welfare dependency for long periods after graduation. On the basis of our assessment of contractors' efforts, DOE decides whether or not to renew their contracts and at what funding level.

DOE's performance with its participants has been, in my judgment, good. Chart 5 shows that in the last completed year, 66 percent of the participants were placed into jobs at graduation from the program. Virtually all of these were private sector jobs and the average wage for adults was \$5.28 per hour. An additional three percent of the youth participants had such other positive outcomes as return to school or completion of a GED which means that 69 percent of our graduates achieved some positive outcome.

In the long run also DOE's programs have performed very effectively. In a recent study we found that two-thirds of the welfare recipients who graduated from our programs showed a substantial reduction in welfare dependency after one year. This amounted to a saving to the city of nearly five million dollars.

Against this background I want now to deal with the problems faced by the city's Hispanics and with the Department's efforts to deal with them.

Of the city's 1.4 million Hispanic residents, about 60 percent are Puerto Rican. The next largest group are Dominicans who constitute about 14 percent of Hispanics. Smaller numbers of the city's residents trace their origin to all countries in Central and South America.

As you are aware, there has been much attention paid lately to the fact that Hispanics are the city's most disadvantaged ethnic group. They are the poorest, the least educated, the least likely to be a part of the labor force and the most likely to be on welfare.

These disadvantaged characteristics apply in particular to two subgroups of the city's Hispanics: Puerto Ricans and Dominicans. Chart 6 gives data we received from the Department of City Planning on poverty, education, labor force participation, and welfare for New York City overall, for Puerto Ricans and, then, for all Other Hispanics.* In the next Chart, I will give the same data for Dominicans. Chart 7 shows clearly that on all measures except labor force participation, Hispanics are indeed worse off than New York City residents generally. However, it also shows that on all measures, Puerto Ricans are much worse off than Other Hispanics. For example, 44 percent of Puerto Rican families are below poverty compared to 29 percent of Other Hispanic families. Forty-eight percent of Puerto Ricans are in the labor force compared to 63 percent of Other Hispanics.

A profile of the other disadvantaged Hispanic group, Dominicans, is shown on Chart 7. Dominicans place somewhere in between Other Hispanics and Puerto Ricans: they are more disadvantaged than Other Hispanics but they are better off than Puerto Ricans on all measures except education.

Now I want to focus on DOE's service to Hispanics. In Chart 3 which you looked at previously, Hispanics were estimated at about one-third both of the eligible population and of our actual participants. This represents quite an increase from earlier days under CETA when Hispanics, with about the same level of need as now, were less than 25 percent of the population served.

* Other Hispanics include all non Puerto Rican Hispanics in NYC except Cubans and Mexicans. The largest groups of Other Hispanics are Dominicans and Colombians but all South and Central American Spanish speaking countries are included.

We still have some distance to go, however, since the most recent statistics we have just analyzed on the makeup of the poor unemployed in the city show that the share of Hispanics in the eligible population has increased to 37 percent. Thus, we intend to increase our enrollment of Hispanics by ten percent over the coming year.

In DOE's current contractor portfolio, there are nine Hispanic community based nonprofit organizations and another four Hispanic private organizations. They enroll 35 percent of our Hispanic participants. In our evaluation of contractors' performance with Hispanics, taking account of enrollment levels, placement rates, wages, and job retention, we found that Hispanic organizations ranked among the highest. This is not the case with every ethnic group, but for Hispanics, it is the case that Hispanic organizations on the whole serve them best.

Chart 8 gives you a more precise picture of the Hispanics DOE enrolls. As you see they are in most respects like DOE's total enrollments. Hispanics are close to 50 percent male and 50 percent female; 44 percent are under 21; 40 percent are dropouts; and 27 percent are on welfare. However, one significant difference is that Hispanics are more likely to have limited proficiency in English. Eighteen percent of the Hispanic enrollees in the basic grant program were reported as having limited ability in English compared to ten percent of total enrollees.

DOE evaluates its performance not merely in terms of enrolling the groups equitably but also in terms of successful outcomes. There is little point in enrolling people if you don't achieve a positive outcome, such as a job, or a return to school, with at least most of them. On this score, also, I think the agency has done fairly well. Chart 9 gives job placement, and total positive outcomes rates as well as adult average wage for the Department's Hispanic graduates in the last year. As you can see, two-thirds of Hispanic participants were placed into jobs at termination from the DOE program, the same placement rate achieved by all graduates. The total positive termination rate for Hispanics was slightly higher than for all graduates (70 percent versus 69 percent). However, the adult

DOE average. This is another area where I am committed to improving the agency's performance. I have directed the staff to analyze the occupations, programs, and contractors who achieve higher wages with Hispanic participants and will give these preference in all future funding decisions.

The particular occupations in which our graduates are placed is related of course to the wages they receive. Chart 10 shows the distribution of occupations in the New York City economy. As you see, most jobs are in the clerical, sales, and services area. If we considered only entry-level jobs, the proportion in clerical and services would be even higher. You should also note, however, that production jobs are still significant in the city and in fact their share of jobs has stabilized in recent years.

Now, in what jobs do we place our graduates and, in particular, our Hispanic graduates? Chart 11 shows that most, as would be expected, are placed in clerical and service jobs. These include, in the clerical area, everything from clerk to secretary, to data processor; in services, from health workers, security guards, and janitors to restaurant workers of all types. Smaller proportions of our graduates are placed in production and paraprofessional areas. Hispanics are slightly more likely than Non-Hispanics to be placed in production jobs which corresponds to their behavior in the general labor market.

In the final moments left to me I want to outline some of the initiatives I have taken since becoming Commissioner in May.

To improve the efficacy of our current resources, I have directed that Hispanic enrollments in all programs this year reach the 33 percent level and that steps be taken to ensure that in the coming year we meet the 37 percent goal. We are already meeting this goal in our direct placement programs where Hispanic enrollment last year and so far this year was about 36 percent. The improvement we need is in our training programs.

I have also directed that one million dollars in special 'incentive money' which DOE will receive in the current year be channelled to four Hispanic organizations to serve disadvantaged Hispanic groups. The four organizations will be selected by open competitive RFP. (A copy of the New York Times article announcing this initiative is attached.)

In my judgment, equitable representation applies to DOE's own staffing patterns as well as to its participants. Since April 30, there has been a nine percent increase in Hispanic staff at DOE and a 12½ percent increase in Hispanic managerial and professional staff. At the same time, there was only a 2½ percent increase in total DOE staff so we are making some headway in this area also.

To help DOE's contractors, especially its community based organizations, perform to their maximum capacity, I have established and staffed in DOE a technical assistance unit to deal specifically with issues raised by the contractors and to help them in all ways we can. The assistance will include help in developing jobs, submitting proposals, and reaching target groups. DOE's assistance will mean better performance by the contractors and, therefore, DOE's own better performance.

Because I think government agencies must take their message to the public, I have also established and staffed a public affairs office at DOE and I am happy to say that we have had quite a bit of success thus far. To ensure that our 'public' includes people who speak languages other than English, I have established a translation unit which translates all the Guides and Manuals which the Department issues to participants and organizations.

In addition to using existing resources most effectively, it is crucially important that we devote efforts to increasing the resources available to us. At DOE, we have formally approached government agencies, foundations, and private sector firms proposing that they fund, in whole or in part, programs serving those who would otherwise be left out, including those who lack the skills to gain entry to our regular training and job placement programs.

I think the more systematic approach to the private sector is the most important development to date. DOE is now an economic development agency under the Deputy Mayor for Economic Development; it is no longer a part of the Human Resources Administration. We have, therefore, proposed cooperative arrangements with several private firms in the areas of funding, equipment, on-the-job training slots and job placements. In our programs for adult dislocated workers, our philosophy has been to fund programs where 40 percent of the

cost is met by the private company. We are also planning in 1986 to hold a Conference for private sector employers in the city where we will emphasize the important services we provide them, namely, screened and trained workers. The point is to make our case to employers and encourage their collaboration with us, in the name of their economic self interest and not in terms of moral or social obligation.

I think the bottom line in my presentation to you today is that the need of Hispanics in this city is very great and the resources now mobilized to deal with that need are not sufficient. We at DOE are doing a good job but we can only do so much. A real solution to the problems we have identified will require a concerted effort by many actors, private and public, to coordinate all the resources now available and above all to identify, raise and mobilize new resources. It is in these two areas that I think this Hispanic Commission can make an important difference. I look forward, very much, to the results of your work.

APPENDIX 3-6

Submission by:

FIRE DEPARTMENT

Attached reports plus:

- Fuego! - Fire prevention and safety manual in Spanish
- Translations of leaflets and poster on fire prevention
- Personnel data on Department workers with language skills



FIRE DEPARTMENT

250 LIVINGSTON STREET BROOKLYN, N.Y. 11201-5884

JOSEPH E. SPINNATO
Fire Commissioner

May 20, 1986

Mr. Stuart Klein
Assistant to the Deputy Mayor
250 Broadway - 14th Floor
New York, New York 10007

Dear Mr. Klein:

This is in regard to the Mayor's Commission on Hispanic Concerns' Language Services Project.

Established in July 1983, the Fire Department's Program Development and Community Relations Office is currently under the direction of Deputy Fire Commissioner Rafael Esparra, who is also responsible for administering the community outreach program which consists of uniformed personnel educating the public on fire safety and prevention.

The Program Development and Community Relations Office consists of three major units: the Office of Public Education and Development, the Office of Special Projects and Events, and the Press Office. Its subdivisions include the Speakers Bureau and the Harlem Fire Safety Program.

The Public Education and Development Unit is responsible for designing community fire safety and prevention educational programs. The Harlem Fire Safety Program, which serves Community Boards 9 and 10 in the Harlem area, conducts educational lectures at senior citizens centers, day care centers and schools. Residents of Harlem, of which a large percentage is Spanish speaking, benefit from this program which is conducted in either English or Spanish as requested.

During 1985, the Speakers Bureau conducted over 400 Fire Safety and Prevention Educational presentations which were, in their majority, lectures at senior citizens centers, tenants groups and other community organizations. There was also active participation at community fairs and festivals.

Although active throughout the entire year, during the spring and summer months the Office of Special Projects and Events maintains an ongoing involvement at citywide street fairs and festivals. Through literature and posters distributed at these events, in both English and Spanish the public's awareness of preventive measures is enhanced. Bilingual staff is also available to answer questions and provide information pertaining to fire safety, smoke detector maintenance, fire drills and other important aspects of fire prevention.

May 20, 1986
Page 2.

A very important activity coordinated by the Office of Special Projects and Events, is the Annual Fire Prevention School Contest, with the participation of schools throughout the metropolitan area. This event stresses the importance of making fire prevention and safety awareness, a part of children's daily activities. To this effect, and in order to aid teachers in this educational task, a manual for their use has been prepared in both English and Spanish.

As a service to the community, public service announcements and press releases are from time to time translated into Spanish.

The outlook for Program Development and Community Relations is to increase outreach programs and concentrate many of them to areas of high fire incidence. Statistics have shown that poor and minority neighborhoods, are often the target of arson and fatalities.

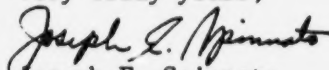
We believe that these efforts will decrease the tragedies of fire by making New York City residents conscious of the necessary steps to be taken if we are to have a safer place to live.

The following items have been requested by the Commission:

- Inventory of forms/information in Spanish (and other languages if possible) - attached
- Copies of the above forms/information - attached
- Training materials/curricular on language skills or cultural sensitivity training - none
- Lists of bilingual and multilingual personnel - attached
- Language bank procedures or other intake protocol for public contact staff - none
- Labor agreements/job categories affecting bilingual personnel - none
- Policy documents/legal precedents on language service issues.

This is only a partial report which covers our Program Development & Community Relations unit and a listing of bilingual staff provided by the Bureau of Personnel. Further reports from other units within the Department will be forthcoming.

Very truly yours,


Joseph E. Spinnato
Fire Commissioner

JES/em
Enc.



FIRE DEPARTMENT

250 LIVINGSTON STREET BROOKLYN, N.Y. 11201-5884

JOSEPH E. SPINNATO
Fire Commissioner

July 30, 1986

Mr. Stuart Klein
Assistant to the Deputy Mayor
Office of the Mayor
250 Broadway - 14th Floor
New York, New York 10007

Dear Mr. Klein:

As indicated in my May 20th letter, further reports from other units within the Department would be forthcoming to supplement the partial report I submitted at that time.

I am, therefore, pleased to update you on the ways in which the Bureau of Fire Investigation has enhanced its ability to provide bilingual Hispanic services.

To begin with, the Bureau of Fire Investigation maintains a complete profile on all of its members as well as those with bilingual backgrounds, from which assignments are made to various units. This allows it to have translators available in each of the boroughs in the event that there are language problems.

The Commanding officer of the Brooklyn Base, which covers one-half of the city, a Deputy Chief Fire Marshal, is himself Hispanic. Through the profiles, the B.F.I. has utilized the services of three Supervising Fire Marshals, dispersing them in such a way as to maintain their availability on a 24-hour city-wide basis.

Two Fire Marshals on assignment to the Bureau of Fire Safety Education deliver presentations at senior citizen centers and community organizations and participate in community fairs and festivals.

In addition, a Spanish-speaking Fire Marshal is assigned to the Bureau's Welfare Frauds Unit and assists in the relocation of victims of fire who are members of the Hispanic community.

Mr. Stuart Klein
Page 2
July 30, 1985

The Hispanic/Bilingual Fire Marshals make themselves available to the communities in which they operate and offer continuing assistance in coping with unique problems which are related to language and cultural concerns.

This completes our report regarding the Mayor's Commission on Hispanic Concerns' Language Services Project. I trust it meets your needs.

Sincerely,



Joseph E. Spinnato
Fire Commissioner

JES:1b

APPENDIX 3-7

Submission by:

DEPARTMENT OF HEALTH

Attached report, plus:

- 8 maps on Department of Health facilities and patient characteristics
- 19 tables on patient characteristics
- List of Department of Health facilities

NEW YORK CITY DEPARTMENT OF HEALTH

REPORT FOR MAYOR'S COMMITTEE FOR HISPANIC AFFAIRS

New York City Department of Health
Report on Hispanic Concerns

Outline

- I. Introduction:
 - Plan for organization of report
- II. Direct Services:
 - A. Pediatrics (P. 4)
 - B. Dentistry (P. 5)
 - C. Ophthalmology (P. 5)
 - D. Tuberculosis (P. 6)
 - E. Sexually Transmitted Diseases (P. 7)
 - F. Immunization (P. 7)
 - G. Tropical Diseases (P. 8)
- III. Case Finding/Advocacy/Education Activities:
 - A. Aids (P. 10)
 - B. School Program (P. 11)
 - C. Teen-Education (P. 13)
 - D. Pregnancy Hot-line (P. 13)
 - E. Mini Department of Health (P. 13)
 - F. Shelters (P. 14)
 - G. Drug-Abusing Mothers (P. 14)
 - H. Infant Health Assessment Program (P. 14)
 - I. Window Falls Prevention (P. 14)
 - J. Lead Program (P. 15)
 - K. Nutrition (P. 16)
 - L. Women's Concerns (P. 16)
 - M. Day Care (P. 16)
 - N. Poison Control (P. 17)
 - O. Healthy Neighborhoods (P. 18)
- IV. Environmental Protection:
 - A. Pest Control (P. 20)
 - B. Licensure (P. 20)
 - C. Health Academy (P. 20)
 - D. Complaint Division/Inspections (P. 20)
- V. Data Collection/Epidemiology and Outbreak Control:
 - A. Aids Research and Policy Coordination (P. 23)
 - B. Outbreak Investigation-Nurse Epidemiologists (P. 23)
 - C. Statistics (P. 23)
 - D. Research (P. 23)
- VI. Contractual Services:
 - A. Prenatal Diagnosis Laboratories (P. 26)
 - B. Prenatal/Family Planning (P. 26) (MIC/FP)
 - C. Nutrition-WIC (P. 26)
 - D. Pediatrics (P. 26)
 - E. Sudden Infant Death (P. 26)
- VII. Language Services (P. 29)

VIII References (P. 30)

IX. Appendices:

- A. Maps
- B. Nutrition
- C. Figures
- D. Service Sites

The mission of the Department is very broadly defined as being the protection of the health of the public at large. The interpretation of that definition has led to the creation of a potpourri of programs and activities, many of which are traditional and stable. Others have gone by the wayside as their relative importance to the public has subsided, while still others have arisen as new issues which affect public health have emerged.

We have been asked to analyze our programs with an eye to how they service the hispanic population in New York City both programmatically and linguistically. For the very reason that our activities are directed to the public at large, they are not designed, for the most part, specifically for the hispanic population. Insofar as this population comprises 20% of the City's population, their interaction with the Department's activities is pervasive. (See table 1)¹ Insofar as approximately 40% of this population is under 20 years of age (as opposed to approximately 26% of the population at large)², there is heavy hispanic representation in our many programs aimed at the young. Their heavy representation among the poor³ means that our free services will be used. Since 29% of New York City births in 1984 were to hispanic women,⁴ it goes without saying that many of our programs aimed at improving pregnancy outcomes are aimed at this population. This is by way of establishing our claim as a meaningful provider to the group under discussion, and there is much more to say along these lines.

For the purpose of this presentation, I shall divide the Department of Health's 50-plus programs into four broad, major categories: those medical services offered directly to the public, those in which our role is that of case finder, patient advocate and/or educator, those in which we protect the environment, and those in which we perform epidemiological surveillance and research and collect data. The Department manages, as well, a \$9.8 Million Dollar Grant, with a variety of services delivered through one or more sub-contracting agencies. In reality, there is a constant overlapping between categories, making coordination of both activities and information an ongoing activity of the staff.

Let us look, then, at the hispanic population as clients of our direct services. We know that the economically and socially disadvantaged will be the primary users of services that are cost-free, as are Department of Health clinics.

The New York City Department of City Planning indicated that, of the 347,974 hispanic families who reside in the City, 132,666 earn less than \$7,450/year, while 133,067 of them are female-headed households with 101,116 dependent children under 18 years of age.⁵

Within the hispanic community, itself, there are income differences to be found between those of Puerto Rican background and other hispanics. Over 47% of the Puerto Rican households earn under \$7,500 compared to 32% of other hispanic households.⁶

If one compares maps of concentrations of hispanics across the City⁷ with maps showing indications of socio-economic stress--such as overcrowded housing, poverty, female householders with children under 18, large households, and households on public assistance, and then looks at where our services are, it becomes more visibly obvious that the hispanic population will rely heavily on whatever services are available through the Department. Our direct services can be found, not in all, but in most communities where there is a large concentration of hispanics.

First, a description of the way the direct services are delivered by the Department. There are thirteen major Health Centers in the City, 2 in Queens, 2 in the Bronx, 3 in Manhattan, 5 in Brooklyn and one in Richmond. All the major centers provide pediatric care and dentistry, most also provide Tuberculosis clinics, Sexually Transmitted Disease clinics, Immunization clinics and Ophthalmology clinics. There is one Tropical Disease clinic at Washington Heights, and one Enteric Disease clinic at Chelsea, where we see a largely homosexual population. We also have subsidiary sites which house Department of Health services, for a total of 12 STD clinics, 9 TB clinics, 13 major dental clinics, 9 ophthalmology clinics, 57 pediatric clinics and 11 Immunization clinics. Dentistry is also provided, on a part time basis, in 102 public schools.⁸

DIRECT SERVICES

Our largest and most widespread direct service program is the Child Health Program, which provides a full complement of age-specific screenings and clinical evaluations for children from birth to 6 years. These evaluations include a complete physical examination and history, assessment of growth and development, vision and hearing screening, blood and urine testing and immunizations. We routinely screen for lead poisoning. There is a referral system to the New York City W.I.C. programs which provide food supplementation to infants and older children at risk for nutritional problems. If special diagnostic evaluations are needed, there is a referral system to centers approved by the Bureau for Handicapped Children for specified conditions.

A number of the pediatric clinics are known as Pediatric Treatment Centers. These provide all of the services offered at the Child Health Stations and, in addition, acute ambulatory care services for local children ages 0-12 years. The conditions treated are usually minor and self-limiting in nature. There are designated hospitals which provide back up service to the P.T.C. when further diagnostic or treatment facilities are required.

Of the 104,819 individual registrants in the system, 40% are hispanic in origin: 20.5% of this group are of Puerto Rican, and the remainder of other hispanic, backgrounds. These total registrants engendered 255,263 clinical visits and 315,040 encounters. The 42,000 hispanic preschoolers represent approximately 29.5% of all hispanic preschoolers in the City. Last year 185,000 of our encounters were in the heavily hispanic areas of City. (Appendix 111).⁹

Some of the most common problems which are reported as being found among our hispanic children are iron deficiency anemia, growth problems, asthma, and verbal language difficulties.

Our Public Health Nurses counsel the parent(s) of our patients after the doctor's visit in order to answer any questions which may remain, to ascertain that the doctor's instructions were understood, and to enrich the visit in a variety of ways.

The nurses' primary stress is on nutrition, a most important issue for hispanics as iron deficiency anemia is often found among these children. It is interesting to note that Puerto Rican children are likely to be fed whole milk and solid foods sooner than advised by pediatricians.¹⁰ In-service training for our nursing staff is provided on an ongoing basis by Dr. Catherine Cowell, the Director of our Bureau of Nutrition.

Another area upon which importance is placed is upon accident prevention. There is a reported tendency among hispanics to leave small children alone, and we stress the dangers of this practice. Accidents are the single largest cause of death for Puerto Rican children under 15.¹¹

Our nurses perform a developmental testing screening for which they were trained at New York Hospital. For residents of Manhattan and the Bronx, where there is a question of speech development, a second level of testing is done by a Spanish speaking Speech Therapist on Department of Health Staff. We are planning to enlarge this program to the other boroughs. Again, these activities are of particular interest to the hispanic community as noted above.

Other parts of the nurse conference include discussions, as indicated, about avoiding lead poisoning, information about the next developmental phase that the child will face and problems which might contribute to child abuse. We stress the importance of school attendance, since we find, often, among hispanics, that the mothers keep the children home from school frequently and for a variety of reasons.

Through our Handicapped Children's Program, in-depth diagnosis and treatment are made available for speech therapy and other handicapping problems as needed. We have found that parents who are not on medicaid complain that they cannot afford to have those diagnostic tests done which are not covered through our Bureau for Handicapped Children.

The child health program is now planning pilot demonstration programs, such as self management for parents of children with asthma and a nutrition education/shopping program.

The Dental program, located in 115 sites across the City, saw 68,890 individuals and had 167,648 visits by children aged 3-18 in 1985. All investigation indicates that children in low-income families have fewer dental visits than more affluent children. While all New York children averaged 1.6 dental visits a year, nearly half of those had not seen any dentist within a year.¹²

While we do not gather ethnicity data routinely in the Dental program, our Bureau Director estimates that, in the Bronx alone, where over 50% of the school population is hispanic, 3/4 of our patients are, as well. We have two full time dental clinics in that borough and 15 part time school clinics. Another largely hispanic area is Corona, where about 1/3 of our visits are by hispanic children.

Over the last two years, the Department has hired 14 Spanish-speaking Dentists. Approximately 42 out of a total of 106 Dental Assistants who work in the schools are bilingual.

Our Ophthalmology clinics are a rather smaller component of the pediatric services. There are nine part time clinics throughout the City,¹³ where refractions are done and eyeglass prescriptions written. Referrals to this clinic are generally through the schools

and our own pediatric services. In 1985, there were 4,257 visits to these clinics. Although no ethnicity data is routinely collected, it is reported that the Bronx clinics, again, are used primarily by hispanic children. Here there are anecdotal reports of two problem areas: One is that there are translation difficulties which often make giving understandable instructions difficult. The other is that staff, both professional and support personnel, are aware of a large number of children who do not get needed eyeglasses because, while having incomes above Medicaid levels, there is not sufficient disposable income to use for the glasses. These reports are anecdotal, and while not routinely communicated through the widespread system, have been heard often enough for our Bureau Director to identify this as a real problem. The pervasive negative results of this for the affected child are obvious, while the costs to society can really not be known.

The Health Department, through its nine District Health Center Chest Clinics,¹⁴ provides free diagnosis and treatment for tuberculosis patients and/or contacts. Outreach is done by Public Health Advisors, who follow-up on patients with active disease who are delinquent in their visits. They also arrange for contacts of active cases to be tested and treated as necessary. 4 out of 40 advisors are Spanish speaking. There were 38,805 visits to the TB clinics over a one year period, and, while it is difficult to estimate the actual number of hispanics served, four of our clinics are situated in heavily hispanic neighborhoods. Washington Heights has an over 50% hispanic population, Corona has one of between 40-49%, Bushwick's is over 50%, and the Morrisania-Mott Haven area has concentrations which vary from 40-49 to well over 50%. However, these clinics do serve a broader area than their neighborhoods and are accessible to public transportation. It would be risky to try to judge the ethnic composition of the patients since the data is not routinely captured.

While Tuberculosis case rates have remained relatively stable since 1979, with some minor increases in the total incidence, the Hispanic tuberculosis case rates have gone up from a rate of 18 per 100,000 in 1979 to 23 per 100,000 in 1984.¹⁵ Rates for Whites, on the other hand, declined from 13 to 9 per 100,000 for the same time period. Of the 1,843 new cases of Tuberculosis reported in 1985, 350 cases were hispanic patients (19% of the total).

Tuberculosis case rates per 100,000 population are highest in socially and economically deprived areas of New York City, e.g. Harlem (109), East Harlem (39), South Bronx (44), and the Lower East Side (59), where sizeable Hispanic populations are known to reside.

While tuberculosis occurs in all age groups, amongst Hispanics its increase is predominantly amongst males aged 24 to 44.¹⁶ We feel that the reason for this increase may be the same reason as for the increase amongst the Black population, that it may be related to Drug

Abuse and Acquired Immuno-Deficiency Syndrome.

The staff is currently working with the newly hired translator on the Public Health Education staff to prepare more bilingual materials.

Reported cases of Syphilis, while markedly decreasing over the past decades, have shown a slight increase between 1984 and 1985, while the numbers of Gonorrhea infections and non-specific forms of the disease have risen steadily over the years.

The Department operates twelve Sexually Transmitted Disease clinics throughout the City,¹⁷ nine in major health center buildings and three at smaller sites. These clinics saw, in 1984, 91,383 patients for a total of 178,276 visits, diagnosed and treated 50,000 cases of venereal disease, and performed over 6,500 Papanicolaou smears on the female patients. Because of the nature of the diseases, patients often travel out of their neighborhoods for treatment and give false names and home addresses, relying upon phone calls to the clinic for information. Ethnicity data tends to be highly inaccurate in these busy clinics. The patients seen are representative of the lower socio-economic groups and it is safe to state that large numbers of the patients are of hispanic origin.

32% of the staff are bilingual, from clerks to physicians, and, of the 22 brochures available, 64% have already been translated into Spanish. Public presentations are made in Spanish, when necessary, by our speaking staff, all but two of whom are Spanish-speaking.

Our Immunization program conducts 14 clinic sessions weekly at eleven sites across the City. Interestingly, two sites in heavily hispanic areas were closed in 1984 because of low utilization. In 1985, 18,200 individual children were immunized against childhood diseases and another 17,000 adults were immunized, mostly receiving Influenza Vaccine. These numbers do not reflect the immunizations done in the Pediatric Program clinics. The immunization program has recently opened two more sites: Williamsburg and Bushwick.

If one looks at a city map indicating concentrations of hispanics, three of the eleven clinics are directly in areas where the hispanic population is over 50% (Tremont, Bushwick & Washington Heights) and two are in areas where between 40% & 49% of the population are hispanic (Williamsburg and Corona). The others are largely in areas where between 20 & 29% of the population are hispanic.

Five of the 18 staff members are fully bilingual in Spanish and three more are partially so. Forms and educational material are available in many languages.

The Tropical Disease Clinic, situated in the Washington Heights Health Center, is right in the middle of a largely Dominican population, and this is the community it services. An analysis of the patient origins by Zip Code confirm this statement. Patients are referred to this clinic for diagnostic work ups by other clinicians.

Many of the patients seen are diagnosed as suffering from one or another form of Amebiasis, although there are other forms of disease seen at this site, including Hansen's Disease (Leprosy). The Chelsea district has a special clinic for enteric diseases which functions as an adjunct referral clinic for the Sexually Transmitted Disease program.

CASE FINDING/EDUCATION/ADVOCACY

The wide variety of case finding, education and advocacy programs run by the Department of Health are situated, hierarchically, in many bureaus within the Agency. I shall discuss them as they relate generically to one another rather than by hierarchical distribution.

No doubt the most visible educational campaign which the Department is running at this time is the "Aids" program.

The Aids-related activities have proven to be quite relevant to the hispanic community, as these figures indicate: 22% of the 5,925 adult Aids victims who have been known to us since 1979 have been hispanic, and, of the 119 children with the disease, 30% of the mothers have been hispanic.^{18,19} In 35% of the cases where the known risk is drug abuse, hispanics are the patients and the mortality data from 1978 to 1985 indicate that 25% of the IV drug abuser victims were hispanic.

The Department provides educational counseling services, both face-to-face and via a "hot-line" which is open 72 hours a week. Three of the counsellors are fully bilingual and 41 of those 72 hours are covered by Spanish speaking staff.

There is a Departmental Aids Steering Committee which meets weekly to discuss the problems arising in trying to deal with the epidemic. The parts of the Department represented by this group are in constant contact with public agencies across the country as well as concerned groups within the City, gathering data, teaching, planning outreach programs, seeking grant funds, improving testing techniques and collecting and analyzing data.

The Department has sponsored City-wide conferences on the subject, has disseminated much multi-lingual printed matter, and has addressed many at-risk groups. Between October and January we addressed almost 1,000 people at 23 sites. Two of our fourteen Public Health Advisors are Spanish speaking, and make presentations in that language as needed. Moreover, we have trained other groups which reach out to the public, such as the Board of Education and major Drug Treatment Agencies in presentation techniques and appropriate program content. We are currently in the field, addressing risk reduction techniques among the drug abusing communities where hispanics are a significant population, and have a subway poster campaign well under way. The New York City Laboratories have done over 25,000 blood tests for the virus, under a protocol carefully controlled for patient anonymity and proper counselling of HTLV III positive patients.

We have been involved in cooperating with the New York State Health Department, both in preparing regulations for laboratories and in writing grants for Federal funding of education & counselling Programs. We have also coordinated the writing of Grant Applications with HHC and the voluntary sector for funding a multi-faceted program which we proposed.

There is a study currently being carried out to determine whether deaths attributed to Aids Related Complex (ARC) are, in fact, actually deaths from Aids.

While Aids activities may be the most visible activity, the School Children and Adolescent Health Program is, by far, the largest of the Department's case finding, education and advocacy program.

Thirty percent of the public school enrollment in New York City between 1970-79 was of hispanic origin.²⁰ This percent changes radically in some areas, where hispanics comprise from 50 to 75 (and more) percent of the student body. Moreover, 35.5% of all elementary school pupils are hispanic and the same percentage applies to vocational school students.

New York City had, in 1982, a total of 1,407 public and private Elementary, Intermediate and Junior high schools. There are almost 500 public health nurses and assistants in the City's approximately 600 public and 600 non-public elementary schools. In these schools, physicians and Pediatric Nurse Associates examine children for health status, while the nursing and nursing assistant personnel follow up health problems uncovered, and teach parents, teachers and the children, themselves, what to look for, and how to care for, those difficulties identified. In keeping with the percentage distribution in the schools, 32% of all exams done by our Medical Doctors and Public Health Assistants were reported as being for hispanic children.

In the Junior High and High Schools, Health Resource Coordinators work with adolescents, health and school professionals to identify and resolve student health problems. In the first third of the 1986 school year, 143 coordinators provided 16,637 student health sessions.

At a time when High School graduation constitutes the minimum education needed for most entry level jobs, one of the most far-reaching problems that has been identified is the dropout rate for hispanic school children. This largely determines their future earning power and health status and also affects the generation(s) to come. Country-wide, fewer than 27% of over 25 years of age hispanics have completed High School and only 7.7% of them have finished college (as opposed to 17.8% of whites and 7.9% of blacks).²¹

Closer to home, a comparison of 12th grade to 10th grade enrollment in New York City two years earlier provides a measure of the progress of students in different ethnic groups.²² Overall, there were 47.8% fewer 12th graders in October 1978 than there were 10th graders two years earlier in October 1976. All ethnic groups showed enrollment declines, but Hispanic enrollment decreased by 34.9%, and Asians lost 16.6% of their students.

The School Children and Adolescent Health staff closely works with the Board of Education Attendance Improvement/Drop-Out Prevention program in identifying and following teenagers who are at risk for dropping out of school. The Health resource coordinator interviews these students for health and behaviour problems and refers them to community health and social agencies, acting as advocate as necessary.

Another evident problem is the rate of teenage pregnancies. Of the 113,332 live births in New York City in 1984, 13,339 or 11.8, were to teenagers. Over 80% were out-of-wedlock births and 66% were receiving at least Medicaid assistance.²³ Of these births to adolescents, 29.4% were to girls of Puerto Rican extraction and 9.5 to other hispanics--a total of 38.9% to hispanics. (4,2000 babies). Bureau of School Children Adolescent Health personnel have an open door policy for all teens and focus many of their counselling sessions on sexuality and pregnancy prevention, emphasizing male as well as female responsibility. Prevention of sexually transmitted diseases and prevention of child abuse are focussed upon as well. All referrals for birth control information are to comprehensive centers with full treatment and counselling services. Other topics discussed at counselling sessions are substance abuse, smoking, and other current health issues. Health Resource Coordinator staff networks with community agencies and attempts to match the students' cultural orientations to those of the agencies.

There are a large number of illegal aliens in New York City with no insurance, no money for medical care and a fear of encountering any helping agency which might report their status. Obtaining necessary care for this group of students is an ongoing problem to our school staff at all levels of the system.

Many of our activities are directed at preventing adolescent pregnancies, and for legitimate public health reasons. These children experienced higher rates of mortality and lower birth weights than these born to the rest of the population. Children born out of wedlock, over 80% of the births to adolescents, suffer the same disadvantages. These babies also experience higher than average hospitalized illness and injury for which medical attention is sought.²⁴ At least one half of the New York City households in which child abuse and neglect were reported were female-headed, apt to be poor and lacking social support systems.²⁵ There have been over 133,000 hispanic female-headed house-holds accounted for, with 101,000 children under 18 years of age. Hispanics accounted for over 108,000 children living in female headed households under the poverty level. Adolescent mothers, themselves, most frequently, do not finish their educations, remain in the poverty cycle, and have a fairly high rate of repeat pregnancies.²⁶ Another study found that the U.S., which had the highest rate of teenage pregnancy, also had one of the smallest proportions of total income distributed to households in the lowest

20% of the population, from which these adolescent mothers come.²⁷

As we have indicated, through our school program, we attempt to reach adolescents and deal with their sexuality. We have also set up an Adolescent Pregnancy Prevention pilot program in East Harlem, in conjunction with local hispanic organizations, to perform health assessments, hold workshops and train youngsters as pregnancy prevention advocates in the local Junior High Schools. The major targeted population will be those teenagers who are already mothers or are pregnant, with an eye to helping them obtain educational and social support, prenatal care, and to guiding them towards setting goals for their futures.

We are also setting up four free and confidential pregnancy testing sites around the City, at least two of which will be in hispanic neighborhoods and will be staffed by Spanish speaking personnel.²⁸

One of the public health issues currently receiving much attention is the drive to lower infant mortality rates. Given the generally low socio-economic status of the hispanic population in New York City, it should come as no surprise that infant mortality rates among Puerto Rican born women are higher than that of whites, although lower than that of blacks. It is interesting to note that the "other hispanics" infant mortality rate is lower than that of whites.²⁹

One of our efforts to assist pregnant women pregnant obtain quality prenatal care is run by our Bureau of Maternity Services. There is a well-advertised hot-line with bilingual staff on the phones at all times. While no ethnicity is asked of the callers, nine calls received over a six month period were actually in Spanish. The women are referred to prenatal clinics, all of which have been visited and assessed by Department of Health personnel. A problem which has arisen is the need for free care. While prenatal care is often available at no cost, labor and delivery costs tend to be prohibitive, discouraging continuity of care for those who are ineligible for medicaid, or are illegal aliens. A new state program provides funds for prenatal care for this population, but does not pay for delivery services.

Aimed at improving pregnancy outcomes to both the mother and the infant as well³⁰ are the Department's Mini-Department of Health's Public Health Nurses, who are situated in six Health & Hospitals Corporation facilities, (Harlem, Kings County, Metropolitan, Woodhull, Queens and Lincoln Hospitals). These nurses work with prenatal women at risk for poor pregnancy outcomes who are delinquent in keeping appointments. There are 1,412 active cases presently. No ethnicity data is recorded, but hispanic women are heavily represented at Lincoln, Metropolitan and Woodhull Hospitals. None of this staff is Spanish speaking. They have stated that interpretation services would be helpful, and that the non-English speaking patients seem to need assistance throughout the hospitals' clinic system, an assistance which is frequently not available.

Another outreach program is the Department's Family Shelter Program. A physician and seven nurses do case finding and patient advocacy in nine Shelter Hotels across the City. The Director estimates that 35% of the 1,500 homeless families which we deal with are hispanic, mainly single mothers with young children. None of this staff is Spanish speaking. While some percentage of the mothers indicate that they prefer communicating in Spanish, the staff feels that, by and large, understanding is reached among them. A problem which seems prevalent among this group is the difficulty in maintaining their Medicaid status, income and food supply, since they must return to the borough from which they came for re-certification. It is difficult for these women to juggle the health and education requirements of their children along with the basic survival activities.

Our staff has assisted in a Nutrition Survey in these hotels which led to the acquiring by a voluntary agency, the Medical and Health Research Association, of a demonstration grant to improve food distribution to the pregnant women and under five year-old children in a large shelter hotel through the Women, Infants & Children Supplemental Food Program (WIC).

We also have a Family Health Project for drug abusing mothers in East Harlem. Of the 120 women, 40 were born in Puerto Rico. The staff works with these families to try to get them integrated into existing programs of health care. A major complaint of these women is that the staffs of the medical care facilities are judgemental in their attitudes, thus discouraging continuity of care.

Our Infant Health Assessment Program, funded by New York State, tracks infants born with a variety of conditions placing them at risk for developmental disability. The case load is derived from births in all Health & Hospital Corporation hospitals and in St. Vincent's on Staten Island. Infants born in these facilities account for 10% of the City's births. Parents are helped to register their children and maintain them in a coordinated system of care, and we are able to call on other providers to assist us in our efforts. While this is a relatively new program, and our oldest cohort is one year of age, it is intended to follow these children for five years. None of our Infant Health Assessment Program data is recorded by ethnicity. However, we can project that the populations having given birth at those hospitals in areas where hispanics predominate will be largely hispanic.

A program of which the Department is justly proud is the Window Falls Prevention program. A massive City-wide campaign not only provided free window guards for thousands of families with small children, but led to Health Code regulations requiring landlords to provide, upon receipt of a registered letter of request, these guards in apartments where children of 10 years or under reside. While it is frequently difficult to enforce that legislation, gross falls and gross

fatalities did decline from 126 and 18 respectively in 1984 to 105 and 14 in 1985. Most of the children were under 3 years of age. Of the 105 children who fell out of windows last year, 59, or over 56%, were hispanic. All of the literature and questionnaires are in Spanish, as have been our media campaign materials.

One of the staff of this unit is Spanish-speaking, and makes appearances in the community through our established network of organizations: schools, tenants' groups, day care, head start, camps, churches, and merchants' organizations. We trained a City-paid corps of volunteers to survey and interview at-risk families around the subject of child safety: window guards and lead ingestion being the focus of questions. Since there are no funds to buy advertising time, we utilize public service spots (in Spanish and English) and share some TV-spot time with the Board of Education.

We remind hospitals and police precincts annually of their responsibility for reporting window falls to us, and a Public Health Nurse visits each of these families both for educational purposes and to check for possible child abuse. In 1984, over 20% of reported window falls were suspicious, in 1985, 26%, of which 6 were fatal falls, aroused suspicion.

Case finding and patient advocacy activities are also carried out by the Department's Lead Program, which screened 210,000 children in 1985 and identified 1,337 cases of lead poisoning, of whom 32% were hispanic children.³¹ Two mobile teams target high risk areas in the summer and, in the winter, conduct door-to-door screenings in areas where the housing stock is deteriorating. There is an on-going link with community providers at 206 sites and the Department has loaned hematofluorimeters to hospitals across the City to encourage their cooperation in screening for lead poisoning. Workshops at our laboratories are held for Physicians, Technicians and Nurses regarding the use of the hematofluorimeter.

Our laboratories analyze the blood samples taken from children and paint chips from homes and shelters where there is a suspicion of contamination. Currently, a special study of lead in ambient dust is being carried out, with the lead poisoned children as a control group.

The program has a computerized tracking system to help follow lead poisoned children. Public Health Advisors work with the District Nursing Offices to see that affected children receive medical supervision. They also work with Environmental Sanitarians to investigate sources of lead paint. Landlords cited by our staff are tried by the Department of Health Tribunal. If lead-based paint is not replaced, the Department of Housing Preservation and Development will do so and bill the landlords. This, however, is a time-consuming process.

Three out of the seven Public Health Advisor group are bilingual, as are many of the Sanitarians with whom they work to investigate sources of lead poisoning. Public presentations, in Spanish when necessary, focussing on risks of lead poisoning are made at libraries, schools, social service agencies, Community Planning Boards--one was even held in a private home in Washington Heights. The group is working with our Public Health Education group to prepare new educational materials.

Our Nutrition Program has a long-established and respected history of educating both professionals and the public. Recognizing the needs of the hispanic population, the Bureau has organized a number of activities directed particularly to this group: a weekly column is published in one Spanish-language newspaper, as well as occasional articles in other papers, for a total of 348 articles. We have held eight talk shows on Spanish radio, have a three-minute spot 2-3 times a week, have answered over 8,000 phone calls in Spanish and have sent out 30,000 pieces of literature at the request of hispanics. A one hour talk show was taped for the Mayor's office, in Spanish, and we have appeared 8 times on Channels 41 & 47.

There is a telephone call-in tape which is done twice weekly in Spanish and we have developed a dozen leaflets in Spanish aimed mainly at Nutrition for children and infants. We also hold nutrition classes in Spanish for mothers who provide family day care services and work with the Food and Nutrition Council on their mass media programming for hispanics.

The Nutrition staff holds in-service meetings with Department of Health nursing and medical staff on an ongoing basis at which cultural differences in eating patterns are discussed.

There are also posters in Spanish and English in the schools, in all of our Clinics and in other sites across the City, emphasizing the need for basic foods in the diet.

Adult women are reached by our Women's Concerns division, where three of the Health Educators and the Program Director are fully bilingual. The staff makes presentations at a variety of community drug groups across the City, such as Promesa and Resurrection, concerning a variety of topics of interest to women. Educational literature, also bilingual, is distributed at these meetings. Thirty-eight of these programs were held between May of 1985 and January of 1986.

One of the controversial areas in which we work towards protecting the City's children is in our role as regulator of Day Care Services. The Bureau of Day Care issues Permits for the operation of these Centers and has teams of Sanitarians and Early Childhood

Educators which inspect premises for physical safety and program appropriateness as prerequisites for initial licensure and license renewal. The Bureau also provides technical assistance to prospective operators upon request.

We are now printing materials, such as the Family Day Care application form and the Fact Sheet, in Spanish. There are Spanish speaking personnel in the Bureau (two clerical people, an Early Childhood Educator and a Public Health Educator) who are able to handle all aspects of the Bureau's activities so that the Spanish speaking public is reached.

The Bureau has, on staff, an expert in child abuse whose role it is to educate Day Care Operators and to sensitize them to the problem. This person, however, does not speak Spanish, and those Spanish-speaking Family Day Care Operators of whom we are aware can only be reached at this time through printed materials.

The Bureau of Laboratories building houses our Poison Control Unit, which has been at the public's disposal 24 hours a day, seven days a week, since 1955.

This is the largest regional service in the U.S., with the nearest established services at Boston and Georgetown, although a new one is now beginning to operate in New Jersey. On duty at all times are three people, either physicians or pharmacists, who respond to questions concerning poison ingestion.^{32,33}

We answer upwards of 74,000 calls annually, an average of 230-250 a day relating to accidental and intentional exposures to hazardous and poisonous substances, over-the-counter and prescription medications, street drugs, plants and a variety of cosmetics, edibles and sprayables.

Forty two percent of the calls concern children under the age of five, 12% concern children and adolescents from ages 5-19.

While a few of the physicians are Spanish-speaking, coverage is hit or miss. Monday to Friday, during day time hours, there is always someone available who is capable of adequately translating. During nighttime hours, and on weekends, a system has evolved which uses three-way phone conversations with either the United Nations or the Emergency Medical System, both of which organizations have around-the-clock ability to translate.

Because of the ongoing UN connection, our Poison Control Service gets a large volume of international calls from Consulates around the world and from Maritime Services around the world, as well.

The Center has a wide network of professional relationships, most closely with Bellevue Hospital Emergency Services, and John's University School of Pharmacy. They conduct a variety of community

programs, sponsor monthly education seminars and publish a periodical newsletter.

The Healthy Neighborhoods Program is a relatively new Community Health Education Project which is an outgrowth of the Department's Pest Control program. The objective of this group is to reach a target population with health indicators signalling high-risk for both health and social service needs which is not easily reached by more traditional education methods.

Situated in seven high-risk neighborhoods across the City, the 75 outreach workers are reaching out both to the elderly and to women with children, particularly handicapped children. After surveying an area in order to develop resource lists of helping agencies, the multilingual staff uses a number of techniques to reach the target population.

Primarily in face-to-face interviews, these 75 workers, going door-to-door, make direct contact with the public. When referral assistance is in order, the referral coordinator stationed in each of the seven offices, handles the phone calls and paper work while the field staff follows through to ascertain that contact is actually made between the client and the agency.

The group assisted the Aids education unit to develop information acceptable to the drug-using community by doing door-to-door interviews with addicts and their friends and relations.

The staff also works in congregate areas, such as super-markets, to reach the public. One of our focusses is to assist parents in properly requesting window guards for their apartments. We will fill out the forms if necessary. Here, the ability to communicate with the non-English speaking public is most important.

Another technique is making presentations to community groups and participating in Health Fair activities. There is always a Spanish-speaking worker available when needed.

ENVIRONMENTAL SERVICES

361

The Bureau for Pest Control, out of which Healthy Neighborhoods grew, still exists and functions, which brings us to yet another facet of the Department's activities: Environmental Protection. These broadly defined services are organized under the administrative cloak of the Deputy Commissioner for Environmental Affairs.

The Bureau's role has been expanded to a Department of Community Affairs. Pest Control, as a part of this unit, has the responsibility for responding to complaints of rodent infestation and for cleaning up these areas. There has been a massive, ongoing, bilingual campaign to teach residents of infested areas how to minimize or eradicate these pests. Most of you have seen our "Starve a Rat Today" leaflet, I am sure. Of the 515 employees, 106 are hispanic. In areas where the hispanic population is heaviest (East Harlem, the Lower East Side, the South Bronx and Bushwick), hispanics constitute 65-70% of the staff.

Many, but not all, of our functions which relate to environmental protection are facilitated by our activities as a licensing agent, with the ability to apply sanctions to non-compliers: Animal handling, beaches, beauty parlors, children's institutions, wholesale food establishments, mobile food units, private sewage disposal systems, radiation installations, after-school youth centers, water pollution control units--these represent only a few of the eighty licenses which we dispense.

Only a few of these areas engender situations where the public is directly involved in any large way. However, since we license, inspect and regulate public eating facilities, one of our larger activities is the teaching of food handling techniques to prospective restaurateurs. This course, the text and the test that follows, is provided entirely in Spanish by the Health Academy when necessary. In 1984, 340 persons registered for the Spanish course and 169 were granted Certificates. In 1985, the numbers were 403 and 174, respectively.

For the mobile food vendors whom we license, instructions are posted prominently at the permit site with detailed explanations about the issuing procedures in Spanish.

Not attached to licensing, but an important part of "Environmental's" activity is the Central Complaint Unit. This unit handles a minimum of 300 complaint calls daily from the public about a wide variety of issues which are seen as health related by the caller. Only a proportion of these calls concern matters the Department has jurisdiction over, and these are handled by the Bureau for General Operations. The remainder of the complaints are expedited to the appropriate agencies. Very frequently these are housing complaints, some are fire hazards, others medical--there is an endless variety. No complaint is ignored, all are immediately dealt with by the staff which backs up the phone operators. There are 28 people in the unit, and thirteen phones are always operating. Five of the phone staff are

Spanish-speaking, and, while no notes are made regarding language spoken, these persons are always busy.

If a complaint has been dealt with within the Department of Health, the unit tracks the disposition. We do not have the capability to follow through with other agencies.

Within a month, "Complaints" is moving to larger quarters with a sophisticated telephone system which will enable them to process more calls.

EPIDEMIOLOGY/SURVEILLANCE/STATISTICS

The Department's Epidemiological and Surveillance Unit involves itself with disease as it manifests itself in society. Currently, one of the major thrusts of the group is towards understanding the Aids epidemic. Working closely with our Bureau of Laboratories and Public Health Education units, the staff has developed testing protocols, collected and analyzed data, and conferred with and helped advise other agencies across the country and within the City.

Four Epidemiologist Nurses function as liaisons with hospitals and private physicians to ensure prompt reporting of communicable diseases. These Nurses also do field investigations of a variety of illnesses: Meningitis, newly-diagnosed Typhoid, selected Hepatitis cases, Malaria, Botulism and other food poisonings. The Department has a computerized system which automatically prints out those cases which require a personal contact with the patient's family, either by phone or a home visit. Since none of these Nurses are Spanish-speaking, when communication with the patient cannot be handled in English, use is made of a telephone network with Spanish-speaking office staff.

The Department's data collection activities are important facets of our role in the City. Birth registrations and morbidity and mortality data form the bases for the understanding of a wide variety of issues which affect public policy. The Vital Statistics Bureau, besides entering records and maintaining files, handles upwards of 450,000 requests annually for birth and death records, both by mail and in-person. There are also a large volume of name change requests. A staff of 135 handles the volume, with approximately 40 persons dealing directly with the public at all times. Of these, 5 are Spanish speaking. Should any situation arise where more assistance is needed, there is a pool of bilingual help behind the scenes always available. In order that we might better define populations with specific health problems, as well as service the public's requests for Birth and Death Certificates, we have undertaken a large computerization project over these last years, and are now refining the collection of ethnic variables.

The Department also performs research, some of which is particularly relevant to the hispanic community. For example, this past year, a paper on the Reproductive Health Experience of Immigrant Caribbean Women in New York City, 1980-1984, was written by three of our staff members and should be published shortly.

Our Health Research Training Program sponsored a Continuing Medical Education Program on "Sex and Childbearing among Hispanic Teenagers" and "Low Birthweight Trends in New York City." Seventy-eight people attended the seminar--Nurses, Public Health Advisors and Doctors. The speakers evoked a spirited discussion afterwards, indicating great interest in the subject on the part of Department of Health staff.

This is not the total range of Department of Health activities, however these are the areas in which the public which we are addressing is concerned.

As well as providing this panoply of services through Department of Health personnel, the Department administers a \$9.8 plus million dollar grant for Maternal and Child Health Services and is intimately involved with other programs funded by Federal and/or State Agencies through the Medical and Health Research Association.

GRANT ACTIVITIES

There are a large group of direct service programs to the public which the New York City Department of Health administers through a 9.8 million dollar State grant directed at what we call the "MCH" population: Mothers and Children. These programs are run on a daily basis through MHRA under subcontract to us.

The Prenatal Diagnosis Laboratory performs amniocenteses in order to detect genetic defects before birth and counsel at-risk families. Figure 8³⁴ indicates that, although hispanics comprise 20% of the New York City population, they constitute more than 25% of the Prenatal Diagnosis Laboratory case load.

The largest component of the Maternal and Child Health grant, over \$5,000,000, is used by Maternal and Infant Care to provide prenatal care and family planning services at nine sites across the City.³⁵ Sixty percent of the 36,000 prenatal patients and 45% of the family planning encounters were hispanic women. The MIC administrator says that she is not always successful in hiring Spanish speaking personnel where desired.

Actual pediatric services to specific groups of high risk children are being provided at seven sites across the City.³⁶ Our computerized data system for these new programs has just begun operation, and accurate ethnicity data is not available. The criteria for eligibility which includes, for example, income at, or below, 185% of poverty, adolescent parents, sheltered families, children at severe nutritional risk and children with acute asthma, leads us to believe that hispanics will be heavily represented among the clientele.

Physically situated in Department of Health buildings with pediatric programs, but also funded by the State, are the 22 Women Infant Children (WIC) Sites which provide money for food for nutritionally at risk infants and children up to 5 years of age. In 1985, 37,924 infants and children were serviced, of whom 17,923, or 47.2%, were hispanic. Aside from the provision of the checks for food purchasing, both individual and group nutrition counseling sessions are held routinely in these clinics, taking cultural preferences into consideration.

The New York City Information and Counseling Program for Sudden Infant Death is a service division of Medical and Health Research Association of New York City Inc. (MHRA). The NYC SIDS Program began providing free professional services with federal funds in July 1976 and, in July 1982 became part of the Maternal and Child Health Block Grant, which is now its major funding source, supplemented by State Purpose Funds.

The Program provides counseling services to approximately 250 families per year, or over one-half of the SIDS families in New York State. In addition, the Program bears the responsibility for providing

SIDS education and training to all "First Responder" groups (Police, Firefighter, Emergency Medical Technicians, Hospital Emergency Room staff, Clergy and Funeral Directors), New York City Health Department Public Health Nurses and other health Professionals and community groups. SIDS deaths continue to be the leading cause of mortality in infants from one month to one year of age.

Over half of the families served by the New York City Project are Black (55%), 30% are Hispanic, 11.5% are White and 3.4% are of other ethnicities, 25% are adolescent mothers aged 19 or under.

The small professional staff (2 full time, 1 part time) of the project are responsible for individual and family counseling, monthly parent group meetings in Manhattan and Brooklyn, consultation to other professionals working with SIDS families, referral of families to other health and mental health agencies, and in-service training to public health nurses, "First Responders", and other agencies. NYC Department of Health Public Health Nurses routinely visit all "SIDS" families in their homes.

The Program, in attempting to meet the needs of the Hispanic families who experience a SIDS death, always has at least one Spanish speaking member on the staff. This person is currently our full time Secretary who assists by interpreting for families who come for office counseling sessions or with whom telephone counseling is being done.

SIDS Literature in Spanish and English is sent to all Hispanic families. The major letters detailing the initial and final causes of death, as well as others, have been translated into Spanish and are used when appropriate.

Crisis work with Hispanic families must take into account the influence of their culture on how they will react to resolve their grief. From passionate belief in the "evil eye" to very traditional Christian faith; a Counselor must be continually aware of many strong influences on the client's reaction to a family member's death. A support network should be mobilized within that system or it will not be utilized by the client.

Another way in which the Program extends itself to families is in putting newly bereaved families in contact with "veteran" SIDS families. We do this by matching parents with relatively the same age, ethnicity and religion, especially with regard to Orthodox families.

LANGUAGE SERVICES

370

-28-

-A3-7.31-

Our Personnel Department tries in a variety of ways to recruit Spanish speaking staff. Although responses from advertisements in Spanish newspapers have been disappointing, where bilingualism is important to the job function we do use them for job notices.

If the position is in the \$20,000 a year, or over, category, the Mayor's office for Hispanic Affairs is consulted. The Mayor's Talent Search Board also provides us with resumes.

The distribution of our Spanish-speaking personnel throughout the system is spotty. I have tried to include, where possible, some indication of where bilingual capacity exists, where there are problems and how they are handled.

The Department has hired a full time translator who is working with the various divisions to provide literature not yet translated for the Spanish speaking public. He will work first with the professional, and then with some community groups, to assure acceptability to the hispanics in the City.

This does not address the issue of the need for face-to-face interpretation when it arises. Almost all Puerto Rican adults, 95% of those age 25 and older, speak a language other than English at home, as do almost 92% of other hispanics. Moreover, 30% of this Puerto Rican adult group spoke English "not well" or "not at all," while 44% of "other hispanics" had English-speaking difficulties.³⁷ We do find that in some communities a number of our patients are in the non-English speaking category.

The Department has, in the past, held Conversational Spanish courses for its staff. Because of the difficulty in travelling to a central location after working hours, this proved not to be feasible. Also, the large number of working mothers on our staff were unable to spend those hours away from home.

One area where there has been reported difficulty in communication has been in the Eye Clinic. We will look into the preparation of sign charts, and a Glossary of frequently used terms, to assist the doctors in speaking to the patients.

One expensive way to provide interpretation might be to install a conference phone system hook-up from the areas where the problem interferes with medical care to a central office where at least one completely bilingual, trained, person would be on duty during clinic hours.

Meanwhile, we have conducted a survey of our field clinics,³⁹ and⁴⁰ know where the language deficits exists. We will attempt to provide Spanish-speaking personnel where necessary as openings occur.

References

1. Hispanic Population in New York City, Community District Statistics, NYC Department of City Planning, June, 1984. (Table 1)
2. Extracts from Report to the Mayor's Commission on the Year 2,000, Urban Research Center, (Figure 1, Appendix III).
3. IBID (Figure 2)
4. Live Births by Mother's Descent or Origin and Borough of Residence, NYC, 1984, Vital Statistics. (Table 2).
5. OP.CIT., Community District Statistics.
6. A Comparison of Puerto Rican and Non-Puerto Rican Hispanics, Department of City Planning, 1984, p 11.
7. Community District Needs, New York Department of City Planning, FY 1987, (Maps Appendix I).
8. New York City Department of Health Clinics by Type and Location, 1986. (Appendix IV).
9. Pediatric Register Count by Site and Ethnicity, 1985. (Table 3).
10. Bowering, J. Ph.D., R.D., et al, Infant Feeding Practices in East Harlem, JADA, 2/28, pp 148-151.
11. Alers, J.O., Ph.D., Monograph #1, Hispanic Research Center, 6/78, P. 7.
12. Lash, T. W., et al, State of the Child: New York City II, Foundation for Child Development, N.Y.C., 6/80, 306 pp.
13. OP.CIT., Appendix IV.
14. IBID
15. Tuberculosis Incidence, per 100,000, by Sex, Age and Race, New York City, 1984. (Tables 4 and 5)
16. Tuberculosis Incidence Rates in New York City, per 100,000 Population by Age, Race and Ethnicity, 1984. (Figure 3)
17. OP.CIT., Appendix IV.
18. Aids Surveillance Update, 2.26.85, NYC DOH Surveillance Office. (Preliminary Data from an ongoing Investigation)

19. Aids Cases in New York City by Race/Ethnicity and Risk Group: Gay/Bisexuals and IV Drug users only, by Year of Diagnosis. (Figure 4)
20. New York State Education Department, Information Center on Education, Annual Pupil Ethnic Census, 10.31.83.
21. Health Status of Minorities and Low Income Groups, U.S. Department of Health and Human Services, PHS, HRSA, U.S. Government Printing Office, Washington , D.C., 1985, 262 pp.
22. Yearly Changes in Enrollment for the Graduating Class of 1979 for Ethnicity, NYC Public Schools, State of the Child, OP.CIT. (Figure V)
23. Live Births to Teenagers by Selected Characteristics and Infant Deaths by Health Center of Residence, New York City, 1984, Vital Statistics, NYC Department of Health. (Table V)
24. McCormick, M.C., M.D., ScD., et al, High Risk Mothers: Infant Mortality and Morbidity in Four Areas in the United States, 1973-1978, AJPH, 74:1, January, 1984, pp 18-23.
25. OP.CIT., State of the Child, p 149.
26. Polit, D.F., Ph.D., and Kahn, J.R., M.Ed., Early Subsequent Pregnancy Among Economically Disadvantaged Teenage Mothers, AJPH, 76:2, February, 1986, pp 167-171.
27. IBID
28. Live Births to Women of Hispanic Birth or Origin by Borough, Vital Statistics, NYC DOH 1984. (Table VI)
29. Infant Mortality, New York City 1980-84, per 1,000 Live Births by Ethnicity and Race of Mother, NYC Vital Statistics. (Figure VI)
30. Puerperal Mortality in New York City, 1980-1984, per 1,000 Live Births, by Race and Ethnicity, Vital Statistics, NYC DOH. (Figure VII)
31. Lead Poisoning Cases, NYC, 1983-1985, by Age and Ethnic Group, NYCDOH (Table VII).
32. Bernstein, J. MPA, et al, NYC's Poison Control Center: A Systematic Approach to a Complex Problem, Urban Health, 8/83, pp 37-43, (Table VIII)

33. IBID, (Table IX)
34. Ethnic Distribution of PDL Caseload and NYC General population, MHRA/PDL, 1984. (Figure VIII)
35. Addresses of MIC/FP Clinics, Appendix IV, Addresses of Clinic Sites Under Grant Contract.
36. IBID.
37. Characteristics of New Hispanic Immigrants to New York City, Department of City Planning, pp 9-10.

APPENDIX 3-8

Submission by:

HEALTH AND HOSPITALS CORPORATION

Attached report and memo, plus:

- Useful Spanish for Hospital Personnel (Spanish/English glossary)
- HHC management structure and hospital budgets
- Personnel information regarding selective certification
- Various translated forms and information
- Patient's Bill of Rights in Spanish

NEW YORK CITY HEALTH & HOSPITALS CORPORATION

125 Worth Street • New York, New York 10013

May 2, 1986

MEMORANDUM

TO: Dennis DeLeon
Mayor's Commission on Hispanic Concerns

FROM: Joanne Marquese *Joanne Marquese*
Special Assistant to the President

RE: HHC Report to the Mayor's Commission on Hispanic
Concerns

Attached please find HHC's report to the Mayor's Commission on Hispanic Concerns. Please let me know if we can provide any further information. We look forward to the Commission's questions and comments.

JM:as

cc: S. Brezenoff (with report, w/o additional att.)
V. Botnick " " " " "
J. Boufford, MD " " " " "

376

Save Water

-A3-8.1-

TABLE OF CONTENTS

INTRODUCTION	1
HHC INPATIENT DISCHARGES	3
HHC 1985 INPATIENT ADMISSIONS BY SERVICE	5
1985 ADMISSIONS BY SERVICE BY FACILITY	6
RESOURCE ALLOCATION	10
MENTAL HEALTH PROGRAMS AND SERVICES	11
AMBULATORY CARE SERVICES	17
OB/GYN	20
AIDS	25
PERSONNEL ISSUES	26
CORPORATE-WIDE EEO DATA	26
EEO DATA BY FACILITY	27
AFFILIATE ATTENDINGS	28
SPECIAL RECRUITMENT PROJECT	29
LABOR ISSUES	30
LANGUAGE BANKS	32
LANGUAGE SKILLS OF CORPORATE EMPLOYEES	33
COMPLAINTS REGARDING HISPANIC CONCERNS	35
BILINGUAL MATERIALS	37

INTRODUCTION

The Health and Hospitals Corporation (HHC) is the largest municipal hospital system in the country. Its mission is to provide quality health care to all those in need, regardless of ability to pay. HHC operates eleven acute care hospitals, five long term care facilities, four Neighborhood Family Care Centers (NFCCs), dozens of satellite clinics, and the Emergency Medical Services (EMS) system. We have about 10,000 general and long term care beds to which there are over 250,000 admissions a year; we also provide over four million visits each year on an outpatient basis. Most of the physician services provided in our facilities are contracted for through affiliation agreements between our facilities and medical colleges or major teaching hospitals.

Changing demographics and the disappearance of general practitioners from many areas of New York City, especially low-income neighborhoods, has given HHC the responsibility to act as "family doctor" to hundreds of thousands of New Yorkers, including a substantially large proportion of Hispanics. This trend -- the use of HHC facilities as a primary care provider -- has escalated significantly in recent years. In fact, between 1970 and 1980, ambulatory care visits -- to both hospital-based out-patient departments and free-standing clinics -- increased by more than thirty percent. Although Hispanics make up a large proportion of our in-patient days (approximately 36%), they represent even a larger percentage of our out-patient population. (Although we do not have Corporate-wide data on ethnicity of out-patients comparable to the data on in-patients, various statistics on specific ambulatory care programs and emergency room visits clearly indicate this fact.)

It is clear that, given HHC's mission and its traditional responsibility for providing health care services to the medically indigent and the low-income insured patients, we are de facto a vital resource for the Hispanic population of New

York City. As such, all our programs and policies are critical to this community. However, in order to meet the needs of the Mayor's Commission on Hispanic Concerns, this report focuses on those issues, concerns and services that are distinctly important to Hispanics throughout the City.

Note: This report draws data and program descriptions from a variety of sources. Thus, a great deal of the information is not perfectly comparable as it crosses years and measurement definitions. The intent is to provide an overall sense of the magnitude and scope of the services we provide to the Hispanic population of New York City, and not necessarily a statistically valid study.

HHC INPATIENT DISCHARGES

October 1, 1984 through September 30, 1985

	<u>Total # of</u> <u>Discharges</u> #	<u>Hispanic</u> <u>Discharges</u> # %	<u>% Hispanics in</u> <u>Catchment Area*</u> %
Bellevue	28,690	12,736 (43%)	36.8%
BMHC**	26,089	11,372 (44%)	28.0%
CIH**	17,599	2,677 (15%)	7.3%
Elmhurst	21,493	7,613 (35%)	22.7%
Harlem	22,749	3,517 (15%)	34.0%
Kings County	41,772	5,870 (14%)	19.0%
Lincoln	30,576	20,678 (67%)	45.9%
Metropolitan	18,425	10,679 (58%)	22.1%
NCB**	16,685	8,368 (50%)	37.4%
Queens	21,421	2,852 (13%)	9.9%
Woodhull	20,038	9,020 (45%)	***
TOTAL	265,537	95,372 (36%)	

It is clear from the preceding chart that Hispanics are disproportionately represented in HHC's in-patient population as compared to their representation in the community generally served by each of our facilities. It is also clear that the following facilities should be focused on when looking at other data concerning Hispanic representation since 40% or more of their in-patients are Hispanic. These facilities are: Bellevue, BMHC, Lincoln, Metropolitan, NCB, and Woodhull.

* Community population figures are from 1980 Census by Community District (CD). Catchment area is based on origins (by zip codes) inpatient discharges. Since population data by zip codes and CDs are based on different geographical divisions, this chart is a very rough estimate of the population of Hispanics in the community served by each HHC acute care hospital.

** Throughout this report, the following abbreviations are used to refer to several of our facilities: BMHC: Bronx Municipal Hospital Center, CIH: Coney Island Hospital, NCB: North Central Bronx Hospital.

***Woodhull is not included because data is not recent enough.

HHC 1985 INPATIENT ADMISSION BY SERVICE

The Commission has expressed an interest in a further breakdown of this data by medical service. Provided here are data concerning the percentage of Hispanics in certain medical services. This data is provided on a Corporate-wide basis as well as by hospital and pertains to 1985 in-patient admissions. Grouping of services varies slightly among hospitals.

CORPORATE-WIDE

<u>Service</u>	<u>% Hispanic</u>	<u>Total #</u>
Alcohol/Detox	26%	8178
Ob/Gyn	39%	67132
Neonatal	46%	31048
Pediatrics	48%	29203
Psychiatry	24%	17100
Child/Adol. Psych.	37%	1005
Med/Surg et al	<u>32%</u>	<u>112682</u>
<u>TOTAL</u>	36%	266348

1985 ADMISSION BY SERVICE BY FACILITY

<u>Bellevue</u>	<u>% Hispanic</u>	<u>Total #</u>
Alcoh	29%	48
Ob/Gyn	64%	3817
Neonatal	70%	1803
Pediatrics	28%	3053
Child/Adol. Psych.	49%	146
Adult Psych	28%	3754
Med/Surg et al	36%	15751
<u>TOTAL</u>	43%	28372

BMHC

Alcoh	45%	667
Ob/Gyn	53%	5373
Neonatal	55%	2781
Pediatrics	57%	2952
Child/Adol.	49%	203
Adult Psych	26%	1635
Med/Surg et al	36%	12457
<u>TOTAL</u>	44%	26073

Elmhurst

Alcoh	15%	1233
Ob/Gyn	55%	3801
Neonatal	58%	2405
Pediatrics	55%	1823
Adol/Child Psych	29%	361
Psych	19%	2021
Med/Surg et al	27%	9750
<u>TOTAL</u>	36%	21349

1985 Admissions by Service

(cont)

<u>Harlem</u>	<u>% Hispanic</u>	<u>Total #</u>
Alcoh	15%	792
Ob/Gyn	27%	5155
Neonatal	38%	2866
Pediatrics	13%	1876
Psychiatry	6%	778
Med/Surg et al	6%	11492
<u>TOTAL</u>	16%	22896

Kings County

Alcoh	35%	2423
Ob/Gyn	12%	11659
Neonatal	13%	5174
Pediatrics	14%	4474
Child Psych	22%	178
Adult Psych	13%	3277
Med/Surg et al	12%	13939
<u>TOTAL</u>	14%	41124

Lincoln

Ob/Gyn	58%	8978
Neonatal	73%	4643
Pediatrics	76%	4824
Psych	49%	532
Med/Surg et al	69%	11953
<u>TOTAL</u>	67%	30926

Page 8

1985 Admissions by Service

(cont)

<u>Metropolitan</u>	<u>% Hispanic</u>	<u>Total #</u>
Alcoh/Detox	70%	461
Ob/Gyn	66%	4361
Neonatal	70%	2171
Pediatrics	73%	2078
Adol Psych	46%	117
Psych	35%	1846
Med/Surg et al	48%	7292
<u>TOTAL</u>	58%	18326

Queens

Alcoh/Detox	9%	1814
Ob/Gyn	20%	4990
Neonatal	23%	2468
Pediatrics	15%	1917
Psych/Mental Health	9%	634
Med/Surg et al	9%	9249
<u>TOTAL</u>	14%	21072

NCB

Ob/Gyn	55%	4954
Neonatal	53%	2646
Pediatrics	63%	1941
Psych	39%	281
Med/Surg et al	40%	6840
<u>TOTAL</u>	51%	16662

Page 9

1985 Admissions by Service

(cont)

<u>Woodhull</u>	<u>% Hispanic</u>	<u>Total #</u>
Alcoh	40%	529
Ob/Gyn	44%	4923
Neonatal	42%	3003
Pediatrics	44%	363
Psych	37%	1714
Med/Surg et al	47%	10917
<u>TOTAL</u>	45%	21449

RESOURCE ALLOCATION

Prior to Fiscal Year 1986, each facility's budget was based primarily on historical spending levels and workload, i.e., volume of inpatient days and outpatient visits. This methodology was appropriate when we were operating under a cost-based reimbursement system. Since we consider each Executive Director (ED) responsible for administering his/her facility, the ED's, for the most part, determine the allocation of resources within the facility. Of course, resources are also targetted throughout the system to address certain Mayoral and corporate priorities.

In anticipation of regulatory changes ushering in a fixed per-case reimbursement environment, HHC has begun to phase-in a new budget allocation methodology that more closely relates third party revenue streams to actual operating expenditures. Nonetheless, within the revenue and expense targets (with a distribution between PS and OTPS), the EDs continue to have the flexibility to allocate their resources with the constraints established by HHC policies and mandates.

Whichever specific methodology is used, the premise is the same: each facility's budget reflects its workload. Within that budget, the EDs have a great deal of flexibility in allocating their resources to best meet the needs of their patients.

MENTAL HEALTH PROGRAMS AND SERVICES

HHC provides a wide range of inpatient and outpatient mental health, mental retardation, alcoholism and substance abuse services. Existing data indicate that Hispanics tend to underuse mental health and social services, in part because of cultural biases. HHC makes efforts to assure that this population receives the appropriate level of services. The Corporation recognizes that having Hispanic bilingual/bicultural staff at all levels of the mental hygiene service delivery system is perhaps the most essential factor for good quality of care to Hispanic patients. Under Dr. Luis Marcos, HHC's Office of Mental Hygiene Services has demonstrated a commitment to placing bilingual/bicultural professionals in top leadership positions.

In addition, we offer several mental health programs targeted to the Hispanic community. The following are brief descriptions of some of HHC's mental health programs designed to meet the needs of the Hispanic community.

The Metropolitan Hospital Community Mental Health Center (CMHC) was developed in 1969; its catchment area includes "El Barrio". The CMHC offers a wide range of services, including emergency room, adolescent inpatient, day hospital and outpatient clinics. The Therapeutic Nursery Program, located in a storefront on E. 116th Street, is one of the CMHC outreach programs. Its goals include early identification, evaluation and treatment of mental health problems in pre-school children; evaluation and treatment of parenting problems; and education and consultation for parents and professionals who require specialized skills in caring for children. In 1985, the program reported 2611 visits, with about 34 percent of all patients being Hispanic. The choice of treatment modalities reflect Hispanic cultural norms. For example, many patients are seen in family therapy, which includes the participation of extended family members.

A program serving predominantly a Hispanic population at Gouverneur Hospital was awarded a three-year grant as a demonstration project by the New York State Office of Mental Health. The Roberto Clemente Family Guidance Center began to see patients in February 1983 at Gouverneur Hospital's main building. The program was relocated to a storefront on East 13th Street in a Hispanic neighborhood on Manhattan's Lower East Side. The Clinical Director, a Puerto Rican psychologist, recruited an exclusively Hispanic professional staff. The clinic provides crisis intervention, home visits, community networking and advocacy, and training in specialized family therapy techniques. In addition to family therapy, psychoeducational groups and relaxation groups are available for patients with somatic complaints. Currently, "La Clinica" provides an average of 600 visits per month.

61 percent of the patient population at the Morrisania NFCC's Mental Health Clinic and Day Hospital are Hispanic, and over one half of the clinical staff are Hispanic. Treatment orientation follows the cultural characteristics of Hispanic patients; family and group modalities are widely used, and there are several Hispanic women's groups. Non-Hispanic staff receives training in culturally-related issues. Morrisania reported 17,114 mental health visits in 1985.

Established in 1968, Lincoln Hospital's Child Evaluation and Rehabilitation Clinic (CERC) is a multidisciplinary outpatient clinic for the evaluation and treatment of children with developmental disabilities and/or physical handicaps. Children from birth to 16 years of age are served through various treatment modalities: individual, family, group, speech/language, occupational and physical therapy, residential and class placement are provided. In-service training is offered to enhance the staff awareness of culturally relevant issues in diagnosing and treating Hispanic children. Examples of the training's content include child rearing practices and the use of

folk medicine. All of the professionals working in the program speak Spanish fluently, and a third of the clinical staff are Hispanic. In 1985, the program reported 4013 visits; 78 percent of the patient population served was Hispanic. CERC is the only program of its kind offered in the Bronx.

The Early Intervention Program, under Lincoln Hospital's CERC, serves teenage mothers and their infants from the South Bronx. (About 28 percent of all births in this neighborhood are to teenagers.) A multidisciplinary team of clinicians address the problems of teenage mothers with learning disabilities; parenting skills deficiencies; children with delays in psychomotor development, behavioral problems, etc. Treatment modalities include, individual and family counseling as well as groups to improve parenting skills. All of the professional staff members speak Spanish fluently. The program had 672 visits in 1985; 70 percent of all patients were Hispanics.

Metropolitan Hospital's Methadone Maintenance Treatment Program and Inpatient Detoxification unit serve primarily Puerto Rican patients (70 to 80 percent). Family, marital and group therapy are the main treatment modalities. In the first half of 1985, the Methadone Clinic had 6675 visits while there were 2760 inpatient days in the Detoxification unit during that period.

The Alcoholism Clinic at Lincoln Hospital is another example of HHC's efforts to address the needs of Hispanics suffering from this mental hygiene disability. 70 percent of the clinic population and 90 percent of the professional staff are Hispanic. In 1985, 25,078 visits were reported. Apart from the wide range of treatment modalities used, including family and group therapy, the clinic also offers a nutritional program, in which Puerto Rican food is served, and cultural activities in which patients and staff participate.

HHC has also attempted to improve services to Puerto Rican migrants through the development of inter-agency agreements. For instance, in 1982, the Puerto Rican Family Institutes (PRFI) and selected HHC facilities signed collaborative agreements, whereby Bellevue Hospital, Bronx Municipal Hospital and Morrisania Neighborhood NFCC provide emergency, day hospital and inpatient services to the Institute's registered clients. In return, the hospitals refer patients to PRFI's outpatient mental health services.

Bilingual Clinical Staff. The single most crucial factor in the delivery of mental hygiene services to patients who are not proficient in the English language is the availability of bilingual clinical staff.

The mental health professions are generally not regarded as occupations of first choice for those with an advanced level of education. This is believed to be due to a number of factors which include the lower pay received by practitioners of these professions as compared to other medical specialties. Of all medical school graduates, only 6% choose psychiatry as a specialty, and of all psychiatrists, only 10% choose child psychiatry as their field of endeavor.

A 1978 survey by the American Psychiatric Association disclosed that 7.1% of American psychiatrists are Hispanics. A comprehensive analysis of the other mental health professions -- psychology, social work, psychiatric nursing -- reveals acute underrepresentation of Hispanics in all disciplines. According to this survey, the number of Hispanic psychologists and nurses is 10 to 16 times less than the number of American in these professions. The field of social work presents a somewhat more promising picture. In 1976, 4.9% of all social work students in the United States were Hispanics.

Only the alcoholism services report a greater ability to recruit and retain bilingual staff. This is probably due to the fact that it has not been traditionally necessary for alcoholism counsellors to possess advanced academic degrees.

Future Availabilty of Bilingual Clinical Staff. The immigrant groups who settle in New York vary in their level of formal education. It is nonetheless thue that the immigrants who are most likely to attain an advanced level of education are the children of first-generation immigrants or those who themselves came to the United States at a young age. To secure an adequate supply of mental health clinical staff in future years, it will be neccessary for the children of immigrants to retain sufficient knowledge of their parent's language so that they remain truly bilingual, achieve a sufficiently high level of education to qualify them for entry into the health professions, and to decide to work in the fiels of mental health.

Pilot Program

The persons who are most relied upon for interpretation in mental hygiene services are bilingual non-clinical staff wuch as clerical, security and housekeeping staff. The patients' relatives, the patients' friends, and, in extreme cases, other patients are also used for this function. We term this situation as "ad hoc interpretation". The Office of Mental Hygiene Services under Dr. Marcos' leadership recently completed a comprehensive assessment of the status of ad hoc interpretation in the psychiatric care of its non-English speaking patients, especially Hispanics. This assessment was performed through extensive interviews with clinicians, administrators, ad hoc interpreters, and patients.at most HHC facilities.

Recommendations emerging from their study included a program for the selection and the training of ad hoc interpreters in basic psychiatric concepts and interpreting skills. We now have a pilot at Bellevue Hospital to evaluate the benefits of such a training program. Since Bellevue serves a large number of Spanish-speaking patients, Hispanics will be the first minority group to benefit from this program. This pilot will be completed and recommendations for appropriate follow-up prepared by June, 1986.

AMBULATORY CARE SERVICES

Ambulatory Care services throughout HHC are geared to address the needs of the different ethnic groups seeking care at our facilities. The volume of annual ambulatory patient visits in our facilities is great (over 5 million in FY'85). Although we do not have detailed data on the ethnicity of patients in our outpatient departments and Neighborhood Family Care Clinics, we do know that Hispanic use even a larger proportion of our ambulatory care services than of our inpatient services.

Each program reflects the population it serves through the level of bilingual staff present, the educational material produced and the signage in the facilities. Gouverneur NFCC, for instance, has signs in Spanish, English and Chinese.

There are three hospitals that, with their ambulatory care network, serve a predominately Hispanic population: Lincoln, Metropolitan, and Woodhull. These facilities have relatively large proportions of bilingual staff, as shown in the language bank data. However, recruitment of bilingual and other providers, although greater at these sites, is still a problem.

The following programs serve a predominately Hispanic population at these facilities:

LINCOLN:

- o Women's Health: Patient education programs are held in Spanish (e.g., Lamaze classes; nutrition and general prenatal counselling; family planning counselling).
- o Early Intervention Program: Geared to children of parents in high risk categories, mainly teenagers. Bilingual providers, including Social Workers, are actively sought after. All educational material is bilingual.

- o Patient Advocates: Advocates are bilingual and knowledgeable of cultural needs of the mainly hispanic population.

Belvis NFCC

- o Hypertension Program: A screening and treatment program funded by NYSDOH, it is coordinated and implemented by a bilingual provider as it addresses the needs of the Hispanic population.
- o School Education: Staff is assigned to teach health education classes in local schools. Hispanic staff is purposely assigned in order to provide role models to students as well as to be able to answer questions from Spanish speaking students.
- o The Women's Health Program: Through the Women's Health Initiative, a Spanish speaking Public Health Nurse provides pregnancy testing and family planning counselling, prenatal counselling, and does all the follow-up of both positive and negative pregnancy tests.

Morrisania NFCC

- o Women's Health Program: Prenatal and parenting classes and counselling are done in Spanish and English.
- o School Health Program: Provides direct care to children in the schools; has a bilingual ambulatory care technician to address the counselling needs of Spanish speaking children.
- o Referral and Liaison Offices: Coordinate services provided by Lincoln; staffed by bilingual workers so that directions, clarifications, etc. are provided in Spanish, if required.

METROPOLITAN HOSPITAL

- o Women's Health Services: Lamaze classes are provided in both Spanish and English.
- o Community Affairs Programs: Arranges for students from local schools (which are predominately Hispanic and Black) to tour the hospital, talk with workers (including physicians) about careers in the health field and health related issues. Another similar program involves Boy Scout groups of the Metropolitan catchment area.

WOODHULL NETWORK (Family Care Center (FCC) at Woodhull, Greenpoint and Bushwick Health Centers and Cumberland NFCC).

- o Child Abuse Classes: Counselling in Spanish and English.
- o Child Care at Woodhull: Provided for the children of patients receiving care in the FCC, through a bilingual teacher.
- o Teen Care Program: Staffed by bilingual providers at Woodhull and Cumberland.
- o Women's Health Care: Breast feeding, prenatal, Lamaze counselling in bilingual.
- o Hypertension Screening: Cumberland has bilingual staff and tries to reach the working sites of both Hispanic and Black males.
- o Greenpoint Health Center: Staff has been particularly trained to meet the needs of non-registered Latin Americans in the Greenpoint area. Sensitivity training was provided for all staff prior to the opening of the center.

OB/GYN

As noted earlier, BHC serves a large Hispanic population in all its services. But one that is particularly important to the Hispanic community is Ob/Gyn. For example, in 1984, 46% of the births recorded in our hospitals were to Hispanic mothers. At Lincoln, Metropolitan and Bellevue, this figure exceeded 70%. For this reason, we include in this report overviews of two initiatives targeted to Ob/Gyn services: the Women's Health Initiative and the Mayor's Initiative to Reduce Infant Mortality.

Women's Health Initiative

In FY 85, BHC obtained \$5 million in spending authority targeted toward reorganizing and enhancing the delivery of obstetrics, gynecological and family planning services at BHC facilities. Through this Women's Health Initiative, the Office of Women's Health was established to oversee the facility allocation process, to monitor the funded program changes and to implement and audit system-wide performance indicators.

The major areas of emphasis across the system are:

- o to provide availability of 24-hour on-site attending coverage in obstetrics;
- o to provide the appropriate mix of attending physician, nurse midwife/nurse practitioner, and social work staff to provide patients with continuity of care and psycho-social support;
- o to provide greater community outreach to increase the number of women receiving early prenatal care and postpartum follow-up;
- o to augment health education such as breastfeeding promotion and childbirth preparation;

- o to establish better linkages between satellite clinics and hospital of delivery and between obstetrics and pediatrics.

Mayor's Initiative to Reduce Infant Mortality

The Mayor's Initiative to Reduce Infant Mortality was established in FY 85, as a collaborative effort with the Department of Health (DOH), to address the problems of infant mortality and low birthweights babies in New York City.

The long range goal of this Initiative is to decrease infant mortality in New York City from the rate of 14.3 deaths per 1000 live births in 1983, to the rate of 11.3 per 1000 by 1988, and to the rate of 10.3 per 1000 by 1990. The objective of the Initiative are to:

- o Provide comprehensive and quality perinatal services to all women, including special high risk populations.
- o Improve access to prenatal care.
- o Expand knowledge about prenatal care, family planning, child birth, child health, and child care.

A multifaceted approach was established to achieve these objectives. HHC has worked with DOH on four aspects of this Initiative:

- o Staff from HHC assisted DOH in developing the initial media campaign encouraging women to seek prenatal care early in pregenacy. The pro bono services of Dancer Fitzgerald Sample, Inc. were obtained to provide professional expertise in creating the theme "If you want a healthy baby, don't wait until it's born," which has been used on subway and bus cards and in radio and TV public service announcements advertising the Pregnancy Healthline.

- o All HHC facilities providing obstetrical services participate in the City-wide telephone access line, the Pregnancy Healthline, to book prenatal appointments for pregnant women calling this line.
- o HHC worked with staff from DOH to establish mini-DOH offices at Harlem, Kings County, Lincoln, Metropolitan, Queens and Woodhull hospitals. HHC facility staff have worked with the DOH staff to develop referral and communication systems that have resulted in the mini-DOH offices providing an invaluable addition to the capacity of our facilities to follow-up patients with broken appointments and to reach out to women who otherwise may have been lost to the health care system.
- o HHC has also instituted a policy of providing well-baby care through 18 months of age without charge to those families that are not otherwise insured. The policy has been implemented throughout the system through the institution of a special clinic code for well baby visits which automatically suppresses billing to families listed as self-pay. This information, along with a listing of all HHC facilities providing pediatric care, is being included in the Child Health Passport that is sent to each family by the DOH when they mail the birth certificate. Our data indicate that over 20,000 well baby visits have been provided without charge to patients since last January, which represents approximately \$2 million dollars worth of services.

Another aspect of the Initiative involved the establishment of special preventive prenatal care programs for pregnant adolescents and for drug dependent pregnant women in HHC facilities serving the 10 health districts in New York City with the highest infant mortality rates. The overall program goal is to improve outcomes of pregnancy among these high risk women.

Adolescent Pregnancy Program

The goal of the Adolescent Pregnancy Program is to attract and maintain adolescents in the health care systems, both during pregnancy and for ongoing care. Major components of the program include:

- o Outreach and follow-up.
- o Full complement of comprehensive prenatal medical services.
- o Enhanced psychosocial counselling.
- o Patient education, including nutrition, counselling, family planning, and parenting skills development.

The teen programs have been designed to provide pregnancy related health support services. At Metropolitan and Queens Hospitals, the emphasis has been on social services, counselling, and health education services, in this way enhancing their already existing teen programs.

Prenatal Substance Abuse Program

The goal of the Prenatal Substance Abuse Program is to identify pregnant substance-abusing women and to assist them to enroll and remain in prenatal care. Major components of the program include:

- o Case identification/case management to assure the efficient and effective flow of referrals from hospital emergency rooms, community methadone maintenance treatment programs, etc.
- o Comprehensive prenatal medical services.
- o Psychosocial counselling, advocacy, and educational services to provide the extra support these patients require.

o Follow-up services.

The programs at Bellevue, Lincoln, and Queens are designed for case identification/case management of pregnant drug addicted patients, ensuring an effective flow of referrals to the prenatal clinic from the Methadone Treatment Programs or from in-house areas, such as the emergency room, where these women may be present for episodic care. The program design at the two remaining hospitals, Harlem and Kings County, is a prenatal clinic on-site in the drug treatment centers.

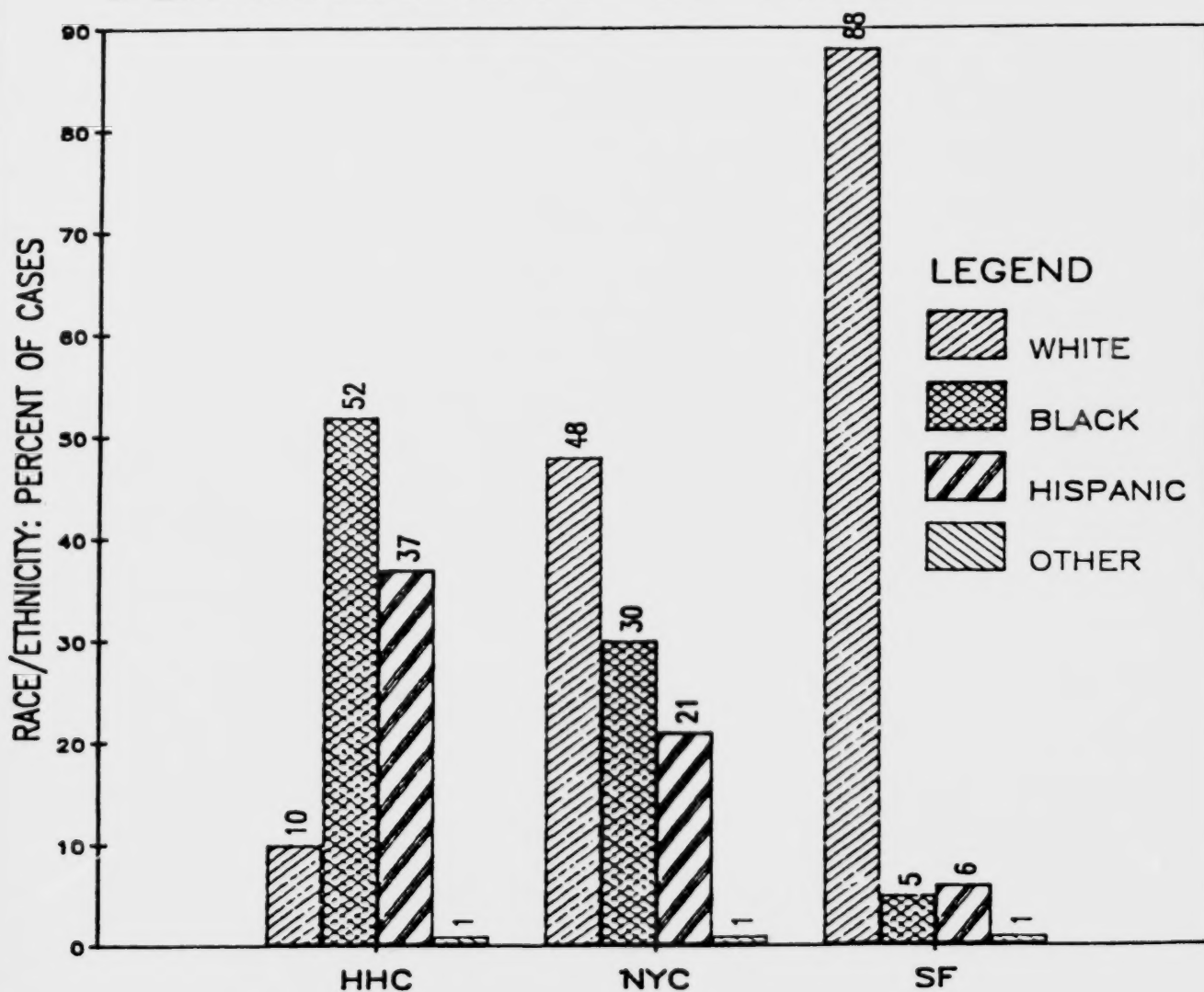
Impact

It is still too early to provide data documenting outcomes from these programs, as most of the programs are still in the process of building their caseloads and refining the services they are providing. Utilization for the first six months of operations indicates that the Adolescent Pregnancy Programs have enrolled 898 teens and have provided over 5600 clinic visits. The Prenatal Substance Abuse Programs have enrolled 202 patients and have provided over 900 clinic visits. Outreach activities have helped the community learn of the availability of these special prenatal programs and have contributed in making referrals.

AIDS

The Commission has expressed an interest in data concerning Hispanics and AIDS. Below is a chart indicating the ethnicity of AIDS patients in HHC facilities, in New York City facilities, and in San Francisco.

DEMOGRAPHICS OF AIDS:



SOURCE: HHC, NYCDOH, SFDOH, 9/85

PERSONNEL ISSUES

We now turn from programmatic, service issues to personnel matters and describe the Hispanic representation in our workforce, the language skills of those employees, and the mechanisms established to make use of those language skills when required by patients. Labor issues are also discussed. Finally, as requested included is a list of EEO complaints received that related to Hispanic concerns.

Corporate-wide EEO DATA *

(As of 6/30/85)

<u>Job Group</u>	<u>Total Employees</u>	<u>Hispanic</u>	
	#	#	%
Officials and Administrators	1563	136	(8.7%)
Professionals	15130	1179	(7.8%)
Technicians	4889	560	(11.4%)
Protective Service Workers	1034	227	(21.9%)
Para-Professional	7282	1097	(15.1%)
Office Clerical	8428	1826	(21.7%)
Skilled Craft Workers	1108	138	(12.4%)
Service Maintenance	5220	1821	(34.9%)
 TOTAL	 44,654	 6984	 (15.6%)

* Full-time corporate employees only

EEO DATA BY FACILITY (as of 6/30/85)

<u>Facility</u>	<u>Total Employees</u> #	<u>Hispanic</u>	
		#	%
Bellevue	6393	888	(16.4%)
Belvis	113	78	(6.9%)
Coler	1723	244	(14.1%)
BMHC	3778	423	(12.9%)
Central Officce	1814	592	(32.6%)
CIH	2130	162	(7.6%)
East N Y CHCC	85	12	(14.1%)
East N Y NFCC	17	1	(5.8%)
EMS	1754	185	(10.5%)
Elmhurst	2642	447	(16.9%)
Goldwater	1609	282	(17.5%)
Gouverneur	1104	365	(3.3%)
Harlem	3568	210	(5.9%)
Kings County	5882	311	(5.2%)
Lincoln	2757	1060	(38.4%)
Met	2314	701	(30.3%)
Met CMHC	424	113	(26.6%)
Morrisania	346	139	(40.7%)
Neponsit	183	17	(9.3%)
NCB	1561	337	(21.6%)
Queens	2387	148	(6.2%)
Sea View	678	37	(5.4%)
Sydenham	378	29	(7.7%)
Woodhull	2482	540	(21.7%)

AFFILIATE ATTENDINGS
FY 84

<u>HOSPITAL/AFFILIATE</u>	<u>TOTAL</u>	<u>HISPANIC</u>
Bellevue/NYU	177	8 (4.5%)
Coney Island/C.I.P.C.	233	25 (10.7%)
Elmhurst/Mt. Sinai	214	11 (5.1%)
Harlem/Columbial	286	10 (3.7%)
Kings County/Downstate	70	3 (4.3%)
Lincoln/N.Y.M.C.	249	30 (12.0%)
Metropolitan	272	15 (5.5%)
NCB/Montefiore	239	11 (4.6%)
Queens/L.I.J.	184	6 (3.3%)
Woodhull/Woodhull P.C.	326	25 (7.7%)
BMHC/Einstein	570	18 (3.2%)
Coler/N.Y.M.C.	90	5 (5.5%)
Gouverneur/N.Y.U.	17	1 (5.9%)
Goldwater/N.Y.U	72	4 (5.5%)
TOTAL	2999	172 (5.7%)*

- * Attendings are not HHC Employees. However, we work with our Affiliates to ensure that they have aggressive proactive minority recruitment programs. It should be noted that the proportion of Hispanic Attendings (5.7%) is considerably higher than the pool from which medical staff are drawn. For example, in 1982, the percentage of Hispanics enrolled in New York State medical schools was only 2.6%.

SPECIAL RECRUITMENT PROJECT

In order to expand the pool of Hispanics for professional and management titles, we have worked over the past year to establish linkages with the University of Puerto Rico.

Since January 1986, four students from this University have begun administrative residencies at Elmhurst, Lincoln, Bellevue and Queens. The students receive a stipend of \$7,500 for their 20-week rotation, plus room and board at the hospitals.

Other issues of mutual concern that we are working on with the University of Puerto Rico include:

- 1) potential recruitment of physical therapists and occupational therapists;
- 2) expansion of clinical practice sites for physical therapists and occupational therapists;
- 3) potential recruitment of BSN and MSN students;
- 4) development of clinical internships for BSN and MSN students;
- 5) development of administrative residency affiliation for baccalaureate health care students; and
- 6) establishment of an administrative residency program with the University's Graduate School of Public Health.

To address these areas, we will review specific details (such as academic requirements) of various programs at the University's Medical Science campus, the College of Allied Health Professionals, the Graduate School of Public Health, and the School of Nursing. There is a strong possibility that we will receive State funding for this project.

LABOR ISSUES

It has been suggested that placing interpreters in our facilities would be an appropriate means of assuring quality service to non-English speaking patients. We have reviewed this issue and do not concur. The following addresses the Labor Issues and our language banks. Also attached is testimony recently given by the President of HHC to the City Council on this issue.

The title of Interpreter is in the City Classified Service. This is a competitive, clerical, administrative title, largely used for full-time translating duties in City Court proceeding and in administrative, quasi-judicial proceedings. The title calls for two years of full-time experience working as an interpreter or translator from verbal to written, written to verbal, and verbal to verbal. In addition, the title may call for fluency in several combinations of languages, as well as in several dialects. The title is collectively bargained and pays approximately \$21,880,* considerably more than the many titles that have been effectively used for bilingual services, and is hard to fill.

Because the population of New York has such a multiplicity of ethnic groups, and in light of the difficulties with the Interpreter title, the Corporation has, for the most part, followed the same route the City has taken to deal with the problem -- selective certification for competitive titles. That is, hospitals can ask that exams be given that include language fluency tests for the specific titles and languages where they have a need. Selective certification permits the selection from a list of only those persons who possess special or additional qualifications, skills, or expertise. Persons possessing these qualifications may be selected before others on the same eligible list who do not have the skills required. In addition, if no one on the list possesses the qualifications required, a list does not have to be used. For entry-level positions (and some promotional titles), the Corporation routinely includes the option of language certification for applicants.

Among those titles for which we have been able to selectively certify are: Staff Nurse, Dietitian, Pharmacist, Caseworker, Social Worker, Attending Physician, Psychiatric Social Health Technician, Rehabilitation Technician, Nurse's Aide, Bio-Medical Equipment Technician, Dietary Aide, Office Associate, Office Aide, Special Officer and the Hospital Care Investigator series. Candidates for these titles are often selectively certified or hired through the non-competitive process specifically because of their proficiency in those languages needed to address patient care needs. The hospitals also obtain the cooperation of bilingual employees already on board to interpret when the need arises.

These practices have resulted in rather frequent grievances from employees (usually clericals) who claim that they have been asked to perform out-of title work. Where we have had such grievances, our position at the Second Step of the grievance procedure has been that, given the multi-ethnicity of the clientele we serve, such activity is a related task and does not change the essential nature of the job. These decisions have never been appealed to the Third Step.

From a logistics point of view, we do not believe that the establishment of a Translator title would solve our problems in this area. A few staff interpreters could not possibly meet the communication needs of our diversified ethnic groups for all our clients throughout the Corporate network; to hire the number of staff required exclusively for this purpose would be a very expensive proposition.

* The annual salary rate will be increased to approximately \$23,070 on July 1, 1986.

LANGUAGE BANKS

At each HHC facility, a language bank has been established in order to provide interpretation services to non-English speaking persons. These employees are available as needed to translate for inpatient, outpatient, and emergency room patients. The average number of languages spoken in each HHC language bank is 22, with some hospital language banks having the capability to translate as many as 50 languages including; Spanish, Russian, Tagalog, Creole, Greek, American Sign Language, Korean, Italian, Hungarian, Chinese and others. In addition, hospital auxiliaries, volunteer departments, and community organizations have provided assistance to hospitals which have a critical need for a specific language.

Since a large number of people seeking care at some HHC facilities speak Spanish, HHC has at least one Spanish speaking staff member on duty during each Emergency Room shift, and special efforts are made to recruit Hispanic residents and attending physicians, especially by hospitals serving large numbers of Spanish speaking patients. In FY 84, 12.6% of all HHC physicians were Hispanic. This figure is considerable higher than the national average.

Section 405.25 (Patient's Rights) of the State Hospital Code states that the patient has the right to "... obtain from his/her physician complete current information concerning his/her diagnosis, treatment and prognosis in terms the patient can be reasonably expected to understand..." This implies that the information shall be available in a language that the patient can clearly understand, so that he/she can render decisions based on proper informed consent. To our knowledge, there have been no major violations of the preceding section of the State Code due to lack of proper language translators/interpreters.

The following is a summary of the numbers of employees who are Spanish speaking at each facility. Other major language groups needed at certain facilities are also listed.

LANGUAGE SKILLS OF CORPORATE EMPLOYEES*

	<u>Total # of Employees</u>	<u># of Spanish Speaking Employees</u>	<u>Other*</u>
Bellevue	5236	863 (16%)	43 (Chinese)
Belvis	113	100 (88%)	
Bronx Municipal	3522	171 (5%)	
Coler	1718	219 (13%)	
CIH	3641	16 (.5%)	11 (Russian)
Elmhurst	2618	572 (22%)	100 (French)
Goldwater	1649	243 (15%)	
Gouverneur	930	278 (30%)	42 (Chinese)
Harlem	3537	103 (3%)	
Kings County	6320	437 (7%)	142 (French)
Lincoln	2793	935 (33%)	
Metropolitan	2912	162 (6%)	
Morrisania	339	153 (45%)	
Neponsit	174	16 (9%)	

* # of employees speaking other languages significant in the community served by the facility.

Language Skills of Corporate Employees
(cont)

NCB	1514	211 (14%)	
Queens	2229	142 (6%)	73 (French/ Creole)
Sea View	116	25 (27%)	
Woodhull	2698	482 (18%)	74 (French/ Creole)

Source: HHC Corporate Affairs
(as of March 1986)

* These numbers are based on self-reporting surveys. We believe that, in most cases, they underestimate the actual number of Spanish-speaking employees.

COMPLAINTS REGARDING HISPANIC CONCERNS

In response to the Commission's request for information on complaints regarding Hispanic Concerns, the following is a list of such recent complaints and the disposition. (We do not track patient complaints by categories that would be relevant to this matter.)

January 1, 1984 - December 31, 1984
(Out of a Total of 143 Complaints)

Informal

<u>Facility</u>	<u>Nature of Complaint</u>	<u>Determination</u>
BMHC	National Origin	Withdrawn 6/26/84

Equal Employment Opportunity Commission

Metropolitan	National Origin	Open
EMS	National Origin	No Probable Cause 5/28/85
Woodhull	National Origin	No Probable Cause 8/27/85

State Division of Human Rights

Metropolitan	National Origin	Open
Central Office	National Origin	Open
Metropolitan	National Origin	No Probable Cause 3/26/85

City Commission on Human Rights

Harlem	National Origin	Administratively Closed
BMHC	National Origin	Open

Complaints Regarding Hispanic Concerns
(cont)

Informal

EMS	Race	Open
Bellevue	Race, Color	No Probable Cause 5/8/85
BMHC	National Origin	No Probable Cause 12/85
Lincoln	Race, Sex	No Probable Cause 8/12/85
Elmhurst	National Origin	No Probable Cause 10/9/85
BMHC	National Origin	No Probable Cause 11/1/85
Morrisania	National Origin	No Probable Cause 3/3/86

Equal Employment Opportunity Commission

Elmhurst	Sex, National Origin	Open
Metropolitan	Retaliation	No Probable Cause 11/26/85
BMHC	National Origin	No Probable Cause 12/18/85
EMS	National Origin	Open
Cumberland NFCC	National Origin	Open
NCB	National Origin	Open
Gouverneur	National Origin	Open

State Division of Human Rights

Sea View	Race	Open
----------	------	------

City Commission on Human Rights

Gouverneur	Race, Color	No Probable Cause
Metropolitan	National Origin	Withdrawn 6/28/85
Cumberland NFCC	National Origin	Open
Goldwater	National Origin,	
	Disability	Withdrawn 7/23/85
Queens	National Origin	Open
Woodhull	National Origin	Open

I am Dr. Jo Ivey Boufford, President of the New York City Health and Hospitals Corporation. I am pleased to have this opportunity to address the Council's proposed legislation requiring bilingual translators in hospital emergency rooms for patients who do not speak English.

Let me say at the outset that HHC is supportive of the concept and intent of this legislation. As you know, HHC operates 11 acute care hospitals and 5 long-term care facilities and over 40 community-based health centers. HHC serves as the family doctor for many New York City residents. We are committed to the premise that verbal communication is an essential tool in the diagnosis and treatment of patients in all clinical areas. In fact, HHC's Patient's Bill of Rights, posted in all our outpatient areas and given to patients at hospitalization, establishes the right of patients to obtain from their physician complete current information concerning diagnosis, treatment and prognosis in terms that the patient can reasonably be expected to understand. The Bill of Rights additionally establishes the right to receive meaningful communication with ethnic and cultural considerations taken into account. It also requires HHC hospitals to provide interpreters and, if unable to do so, to make efforts to get family members or personal representatives to act as interpreters.

Consistent with this mandate, HHC has taken several actions. First, we have put a major emphasis on recruitment of clinical and other staff who are representative of the communities served. Since a large number of people seeking care at some HHC facilities speak Spanish, HHC has at least one Spanish speaking staff member on duty during each Emergency Room shift and special efforts are made to recruit Hispanic residents and attending physicians and staff. In FY '84, 5.9% of all HHC attending physicians and 6.9% of all newly recruited residents were Hispanic. In FY '85 the percentage of newly recruited

Hispanic residents rose to 9.2%. These figures are considerably higher than the national pool from which the medical staff and residents are drawn, both averaging approximately 3%.

In keeping with the Corporation's commitment to the recruitment of employees who reflect the ethnic makeup of the communities they serve, special attention has also been given to the recruitment of Black attending physicians and residents. In FY '84 for example, the percentage of Black attending physicians in HHC facilities was 10%, compared to data from May, 1983 showing that only 5.1% of the physicians practicing in the New York-New Jersey SMSA census area were Black. The percentage of newly recruited black residents was 9.3% from a medical school graduating class pool of less than 6%.

In addition to its own recruitment efforts in this area, HHC has worked closely with its affiliated medical schools to assure that they are engaged in active minority recruitment efforts. Such efforts are now considered to be essential to the satisfactory fulfillment of the contractual obligations of HHC's affiliates and required as a condition for contract renewal.

In the past 10 years HHC institutions have made significant progress in recruiting new employees who reflect the ethnic makeup of the communities they serve. There has been special emphasis on recruiting Spanish speaking employees. For example, as of December 1985, 18% of all employees at Woodhull Hospital were Spanish speaking (487 out of a total of 2698 employees), 22% at Elmhurst (572 out of 2618 employees), 33% at Lincoln Hospital (933 out of 2793 employees), 14% at North Central Bronx (210 out of 1505 employees), 29% at Gouverneur (274 out of 930 employees) and 13% at Bellvue (855 out of 6935 employees). Twenty four percent of all persons employed by the Emergency Medical Service are Spanish speaking - 437 out of a total of 1817 employees.

To facilitate these recruitment activities, HHC has followed a selective

certification process for competitive titles. This permits hospitals to ask that exams be given that include language fluency tests for the specific titles and languages where they have a need. Persons possessing these additional language skills may be selected before others on the same eligible list who do not have the skills required. In addition, if no one on the list possesses the qualifications required, a list does not have to be used. At the present time selective certification is mandated for most entry-level titles.

To supplement this important effort, all HHC hospitals have established language banks - lists of employees and volunteers who are fluent in various languages and who are able to serve as interpreters.

The listings include the department, tour of duty and telephone numbers of these bilingual staff and volunteers who are available as needed to translate for inpatients, outpatients, and emergency room patients. The lists are updated on a regular basis. The average number of languages spoken in each language bank is 22, with some hospital language banks having the capability to interpret as many as 50 languages, including: Spanish, Chinese, Russian, Tagalog, Creole, Italian, Polish, Greek, Hungarian, American Sign Language, and others.

Several special programs have been targetted to certain ethnic and cultural groups. At Gouverneur Hospital, for example, the Roberto Clemente Clinic, established in 1983, and the Asian American Clinic, established in 1984, provide culturally and linguistically sensitive mental health services to the Hispanic and Chinese communities of lower Manhattan. At Woodhull, similar efforts have addressed the mental health needs of the Hasidic community. Several years ago the Corporation's President made a commitment to assess the problems associated with the psychiatric evaluation of non-English speaking patients who enter our hospitals for psychiatric care. As a result of this

commitment, a pilot program is now underway at Bellevue Hospital to train bilingual staff to deal appropriately with patients who are suffering from psychiatric disorders. Since this training program involves current hospital staff, when fully implemented it could significantly improve the quality of care to non-English speaking psychiatric patients without substantially taxing our limited resources.

As you can see, HHC through its recruitment policies and staffing patterns, through its Patient's Bill of Rights and extensive language banks, and through its special, innovative bilingual programs is already actively engaged in carrying out the intent of the legislation which is before this Committee today.

Having said this, I would like to reiterate that HHC is very supportive of the intent and spirit of this legislation. However, I would like to outline several problems which exist in the bill as currently drafted. First, the major goal is assuring that interpretation services are provided to patients who are non-English speaking, not to bilingual patients who understand English and do not require an interpreter. However, this point is not clear in the bill as written and should be clarified to assure that such resources are appropriately targetted.

The requirement that interpretation services be provided whenever 5% of the patient population of a service area is non-English speaking may, we believe, be onerous on the hospital. First of all, the percentage of such individuals in the community clearly may not be reflective of those who actually use the hospital. Additionally, there is no methodology provided in the legislation for identifying the non-English speaking ethnic composition of a community. Census data only provides information on Federally designated minorities - Black, Hispanic, Asian American and Native American - not other

ethnic groups and provides no information regarding the percentage of these groups who are non-English speaking. The same is true for hospital utilization statistics which also track these same federally designated minorities but not other ethnic groups. Relying on these data sources, therefore, could result in the failure to address the real needs of other non-English speaking minorities. Without setting forth some reasonable methodology for identifying the non-English speaking ethnic composition of the community, the bill may prove to be unworkable and the express goals of the legislation clearly may not be met. Because we do share the Council's interest in assuring that interpretation services are available in all hospital emergency rooms, we would very much like to work with the Council to develop a database in order to identify specific information regarding the non-English speaking population served by each of our hospitals.

I would also like to add that the formal interpretation services envisioned by this legislation may prove to be extremely costly to the City. The current minimum salary for the Interpreter title in the City Plan of Titles (a title not currently included in HHC's plan of titles) is \$21,879. As a result of the requirements of this bill, several of our hospitals could be required to hire anywhere from four to seven interpreters per tour, per seven day week in order to represent the ethnic composition of the population served as defined in the bill. We estimate the cost of this level of service, including fringe benefits to be in the range of several million dollars. These additional costs would have to be picked up entirely by City tax levy dollars since they are not recognized as reimbursable costs under a per case methodology.

As I described to you in last month's budget testimony, the per case methodology was recently adopted by the Medicare program and is expected to be

adopted by Medicaid in the next year or so. These reimbursement changes and other federal cutbacks will cost HHC \$28 million this year alone and will continue to exert severe financial pressure on HHC. The cumulative impact of these policies has placed serious pressures on the City to continue to provide critical services with fewer resources. So you can understand that while HHC wholeheartedly supports the intent of this bill, we are concerned that we develop the appropriate database so that scarce health care dollars are appropriately allocated.

It is within this restricted financial environment that HHC must decide how best to meet the needs of the patients we serve. We feel very strongly that in the area of interpretation services we have developed model programs and thoughtful use of existing staff to fashion a rich network of interpreters that is addressing the needs of the non-English speaking populations in the communities we serve. We also recognize that there may be some HHC hospitals where our current efforts have not been sufficient and therefore we are sympathetic to the concerns that have given rise to this legislation. Therefore, we will make every effort to work with the Council to ensure that appropriate interpretation services are available to our non-English speaking patient populations.

NEW YORK CITY
HEALTH AND HOSPITALS CORPORATION

125 WORTH STREET, NEW YORK, N.Y. 10013

OFFICE OF THE PRESIDENT

TO: John Casey
FROM: Joanne Marquese 
RE: COMMISSION ON HISPANIC CONCERNS REPORT
JULY July 22, 1986

The following is in response to your questions concerning our report to the Commission on Hispanic Concerns.

1. The Commission points out the contrast between the numbers of Hispanics using hospital-wide services and the numbers receiving inpatient alcoholism treatment at Kings County and Elmhurst.

Our staff have explored these discrepancies, as you suggested. Regarding Kings County, the report cites higher utilization rates by Hispanics for alcoholism services (35%), than for services in other hospital areas (14%). Explanations for these differences include the unavailability of alcoholism services in the vicinity and the uniqueness of Kings County's programs. Other hospitals within the immediate area (e.g., Kings Highway, Caladonian, Flatbush General) offer medical services but no alcoholism detoxification treatment. In addition, Kings County has a short term inpatient rehabilitation unit for alcoholism which is the only one of its kind in the borough.

At Elmhurst Hospital, the report cites a lower than average use of alcoholism services by Hispanics (15%). It is important to realize that the 36% average utilization for the other hospital services represent services heavily used by women and children (e.g., Ob/Gyn, Pediatrics, Adol/Child Psych). The alcoholism unit serves an exclusively adult population, one that is predominately male; the male to female patient ratio is 9:1. Therefore, it is difficult to compare these figures with the numbers of patients served by the alcoholism unit.

The 15% utilization rate in the alcoholism services closely approximates the overall proportion of Hispanics residing in Elmhurst's catchment area (19%). You asked whether sociocultural variables, ethnicity of staff, and outreach efforts are potential factors in determining utilization rates among Hispanics. These factors clearly influence utilization, as do other factors such as the geographic location of the program and the extent to which patients are able to secure entitlements, such as Medicaid.

2. Attached is a breakdown of Fiscal 1986 Budget allocations in HHC (Att. A). We do not have line budgets for our facilities and therefore cannot provide the kind of breakdown you requested.
3. We have some data on the composition of the pool from which we and our affiliation draw employees. As stated in our report, we compared the affiliate attending figure of 5.7% to a 2.6% figure in New York State Medical Schools.
4. Central Office does not "mandate" programs. However, the Ambulatory Initiative, started in 1982, was an effort to assist the facilities in enhancing their outpatient services. Our Office of Ambulatory Care serves as a consultant to the facilities in assuring that the policies of the Ambulatory Care Initiative are realized. In each facility, implementation was accomplished differently.
5. HHC routinely includes the option of qualifying language proficiency testing on notices of examination for the majority of its open competitive examinations and some promotional examinations. An assortment of examination notices dating back to 1978, providing for selective certification for language skills are attached. (See Att. B).

When filing for a particular examination, applicants may submit a Language Proficiency Form (see Att. C) indicating the languages in which they want to be tested for proficiency.

Language forms submitted by persons who pass an examination are forwarded to the Corporation by the NYC Department of Personnel, along with the resulting eligible list.

After establishing the eligible list, the Corporation schedules qualifying proficiency tests in the language(s) for which the facilities have

identified a need. Language fluency tests are conducted centrally using a uniform, objective test provided by the NYC Department of Personnel. Corporate personnel, proficient in the specific language, serve as panel members in administering the qualifying test.

Candidates who qualify in the language proficiency test(s) are then extracted from the master list for selective certification and appointed to positions which require their specific language skill(s). Candidates who lack the required language skill need not be considered.

We have conducted language proficiency tests in Creole, Chinese and Yiddish; the majority of our tests have been directed toward the need for Spanish speaking staff.

Some examples of lists which have been selectively certified for proficiency in the Spanish language are:

- Community Liaison Worker
- Dietitian
- Head Dietitian
- Hospital Care Investigator
- Mental Health Assistant
- Office Aide
- Office Associate
- Sr. Associate Pharmacist
- Sr. Hospital Care Investigator
- Sr. Psychologist
- Sr. Special Officer
- Social Worker
- Special Worker

In the months ahead, new eligible lists will be established for the following titles and qualifying proficiency tests will be conducted in those languages needed to address patient care:

- Caseworker
- Dietitian
- Mental Health Assistant
- Pharmacist
- Sr. Special Officer
- Social Worker

6. In response to the legislation recently passed by the City Council, we are clarifying our policies and procedures on language banks. Once established, I will send you these new policies.

7. Unfortunately, there were several errors on page 33 of our report ("Language Skills of Corporate Employees") in terms of the total number of employees at each facility. Attached is a revised list (see Att. D). There are still differences between this list and the EEO figures, due to different definitions of full-time employees and the fact that they reflect data from different years.
8. For reasons of confidentiality, we are unable to provide further details on the nature of the EEO complaints we listed for you.
9. In the past, HHC did apply for medicare reimbursement for bilingual services whenever appropriate. However, as of January 1, 1986, Medicare is reimbursed under a Prospective Payment System (PPS) which assigns a Diagnostic Related Group (DRG), regardless of length of stay, severity of illness, or services provided. Therefore, the reimbursement issue you raised is no longer relevant.
10. Attached is our most recent table of organization for Central Office (see Att. E) and an Annual Report that describes, in general, some of the functions of Central Office. Executive Directors (ED) report to the President. Each facility has its own organizational structure as defined by its ED.
11. Our 13 top Hispanic managers are: 2 Vice Presidents, 2 Executive Directors, 4 Deputy Executive Directors, and 5 Associate Directors. For reasons of confidentiality, we are unable to provide you with the specific names.

JM:as

cc: Jo Ivey Boufford, M.D.

LANGUAGE SKILLS OF CORPORATE EMPLOYEES

	<u>TOTAL # of EMPLOYEES</u>
Bellevue	6935
Belvis	113
Bronx Municipal	3522
Coler	1718
CIH	2100
Elmhurst	2618
Goldwater	1649
Gouverneur	930
Harlem	3537
Kings County	6320
Lincoln	2793
Metropolitan	2912
Morrisania	339
Neponsit	174
NCB	1514
Queens	2229
Sea View	653
Woodhull	2696

APPENDIX 3-9

Submission by:

HOUSING AUTHORITY

Attached report, plus:

- **Translations of standard forms and notices**

- I. The New York City Housing Authority operates a conventional housing program, in which tenants are housed in Authority-owned buildings, and a Section 8 program, in which the Authority subsidizes the rents of tenants in privately owned buildings.

In 1986, of the 172,972 families participating in the conventional program, 46,672 (27%) are Puerto Rican and 4,777 (3%) are other Hispanics. Combined they represent 30% of all conventional program families.

The total population of the conventional program is 473,685 people of which 133,216 are Puerto Rican (28%) and 15,294 (3%) are other Hispanics. Combined they represent (31%) of the total population.

Of the 39,049 families participating in the Section 8 Program, 5,835 (15%) are Puerto Rican and 2,358 (6%) are other Hispanics. Combined they represent 21% of all Section 8 participants.

The total population of the Section 8 Program is 86,475 people of which 14,888 are Puerto Rican (17%) and 6,129 (7%) are other Hispanics. Combined they represent 24% of the total population.

II. Service Delivery

The Authority is committed to providing information to the Hispanic Community as well as to all other groups. The Authority makes a concerted effort to house applicants of all ethnic and racial backgrounds in an equitable, integrated manner.

In those areas of high Hispanic concentration where new housing units are being constructed, there are frequently Hispanics with limited English comprehension. It is the policy of the Authority in such cases to assign, whenever possible, bilingual staff representatives to make presentations regarding the housing development to the local community boards and Hispanic community organizations. Coupled with distributing applications, the staff representatives furnish such basic information as the eligibility requirements, anticipated completion date of the units, size of the apartments, number of units, community facilities and other relevant data.

However, in those instances when, based on the flow of applications, Hispanics do not appear to apply in appropriate numbers for a particular site, an "outreach" effort is often implemented. The outreach may involve disseminating information about a specific development utilizing Hispanic newsmedia, radio, T.V., newspapers, brochures and extensive personal visits to Hispanic Organizations. The overt cooperation of Hispanic Community leaders, elected officials, social, cultural and religious organizations is also solicited.

Notices to tenants in both the conventional and Section 8 programs are sent in both English and Spanish. Sample copies of the Spanish versions are attached.

While there are no specific funds allocated for special services to Hispanics, the management staff at each location meets regularly with Tenant leaders to determine specific requirements and to obtain special services such as interpreters and translation of notices.

- III. The official Housing Authority translator is a member of the Authority's Office of Community Affairs and handles translations into Spanish of newsletters, correspondence, official documents and various other Authority written materials for Hispanics unable to read English. Representatives of that office are frequently called upon to conduct housing related workshops for a variety of civic, private, and church groups. These workshops significantly contribute to a better informed Hispanic Community.

In an attempt to better service our senior tenants, the Authority has contracted with the Institute for Puerto Rican and Hispanic Elderly. This organization is providing orientation sessions in a new senior resident development in East Harlem with a significant proportion of Hispanic tenants. The orientation sessions are designed to assist the tenant in the transition from private to public housing and accord them information on their rights, entitlements and responsibilities as tenants.

In housing developments with high Hispanic concentration, Spanish speaking staff assist those who have difficulty understanding or speaking English. Each Authority housing development is managed from one of eight district offices, and an interpreter is assigned to each district. This interpreter visits developments on an as needed basis.

The Authority also has a bilingual staff person permanently assigned in the Mayor's Office of Hispanic Affairs. His duties, although primarily centered around dealing with clients who need advice or information on public housing matters, also require contact on their behalf with Hispanic Organizations and other private and public agencies.

- IV. Of the 14,712 employees of the Housing Authority at the beginning of 1986, 3,228 (22%) were Hispanic. A chart of Equal Employment Opportunity Commission Occupational Classifications is attached.
- V. From time to time the Housing Authority receives complaints of discrimination by individual employees against supervisors or other colleagues. All such complaints in recent years have had findings of no probable cause by the Equal Employment Opportunity Commission, the State Division of Human Rights or the New York City Human Rights Commission.
- VI. As indicated above, the Authority employs eight interpreters who are assigned to district offices. They visit developments as required. In addition to employees in the Housing Assistant title, the Authority employs thirty Housing Assistants (Bilingual); however, there is no additional compensation for employees in the latter title.
- VII. The various departments in the Housing Authority coordinate their efforts to serve the Hispanic community. Project staff in the Management Department, which manages the day to day operation of the developments, consult with the Office of Community Affairs when special problems arise relating to tenant groups, such as Hispanics. The Management Department staff consult with the Office of Equal Opportunity when special problems arise relating to Hispanic employees. It is Authority policy to react quickly to assure that the needs of the Hispanic community are addressed optimally, within the limits of the Agency's resources.

APPENDIX 3-10

Submission by:

DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT

HPD submitted a 300 page report entitled Hispanic New Yorkers in the Housing Arena: A Need To Build For A Future

Attached are the original pages from the report. In addition, the report contained the following reprints of reports and discussion papers.

- Housing for Hispanics in New York City, prepared by Barbara Elstein, Office of Policy Analysis, Research and Analysis Unit.
- Extracts from Mayor's Management Report
- Information on community districts
- Information on Fair Housing strategies
- Information on the Housing Development Unit of the Legal Aid Society
- Report of the Mayor's Panel on Affordable Housing
- Manhattan Borough President's Housing Policy brief
- City Council President's City Housing Report
- In-rem Working Group Report to the Mayor by the New York Urban Coalition Inc.
- El Nuevo Barrio - A plan for Revitalization of East Harlem by Hispanic Business Office
- On Its Own: New York City Approaches Affordable Housing, by Citizens Housing and Planning Council

**HISPANIC NEW YORKERS IN THE HOUSING ARENA:
A NEED TO BUILD FOR A FUTURE**

**STATUS REPORT BY THE NEW YORK CITY DEPARTMENT
OF HOUSING PRESERVATION AND DEVELOPMENT FOR
THE MAYOR'S COMMISSION ON HISPANIC CONCERNS**

**PAUL A. CROTTY
Commissioner**

JUNE, 1986

ACKNOWLEDGEMENTS

PREFACE.....	1
I. HOUSING NEEDS.....	2
A. Housing Dilemma.....	2
B. Housing Market	12
C. General Housing Goals.....	15
II. HOUSING SERVICES.....	18
A. HPD Mandate	19
B. HPD Programs.....	23
C. HPD Accomplishments.....	38
III. HOUSING AGENCY ACCOUNTABILITY.....	52
A. Neighborhood Services.....	52
B. L.E.S.A. Capabilities.....	87
C. Employment Policies.....	87
D. Legal Practices.....	90
IV. HPD AND BEYOND.....	113
A. Inter-Municipal EARP Cooperation.....	113
B. Municipal-State (Battery Park City) Cooperation...	113
C. Municipal-Federal (Mutual Housing) Cooperation....	114
D. Private Sector Initiatives.....	116
(Collaborations and Partnerships)	

V. HOUSING REVITALIZATION OFFERINGS.....	150
A. Manhattan Borough President's Housing Policy Brief....	151
B. City Council President's Housing Report.....	158
C. New York Urban Coalition City-Wide Proposal (Mayor's In Rem Working Group).....	174
D. El Nuevo Barrio Proposal (Mayor's Office on Hispanic Business Development).....	186
EPILOGUE: ON THE YEAR 2000.....	210
Appendix A: On It's Own: New York City Approaches Affordable Housing (Citizen Housing and Planning Council Report)	

ACKNOWLEDGMENTS

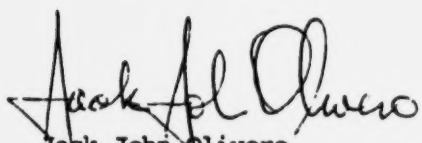
We would like to thank a number of individuals for their cooperation in making this report possible.

First of all former HPD Commissioner Anthony Gliedman offered his learned insight on housing and supported our efforts.

There were a number of HPD people who furnished core data for this report including Moon Wha Lee and Barbara Elstein from the Office of Policy and Government Relations, Assistant Commissioner Jose Cintron, Assistant Commissioner Wilfredo Vargas, Cheryll Miller of the Community Consultant Program, and Assistant Commissioner Kenneth Knuckles.

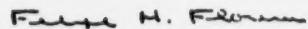
Of major consequence were those people who provided timely information, lent an ear or otherwise acted as a sounding board on the report. This included Reinaldo Pagan of the Mayor's Office on Hispanic Affairs, Dennis de Leon and Rosemary Maldonado of the Mayor's Commission on Hispanic Concerns, Joseph Holland of State Senator John Daly's Office, Ruth Santana from the National League of Cities, Commissioner Hector Vasquez of the Mayor's Office of Hispanic Business Development, Joseph Mendez from the New York State Housing Finance Agency, Charles McLean from the Neighborhood Reinvestment Corporation and Earl Brown of the City Council President's Office.

Special Thanks to Ebeth Oliver and Olga Rodriguez for their support in preparation of this Report.



Jack John Olivero
Deputy Commissioner

REPORT AUTHORS


Felipe M. Floresca


Rolando Barrios

PREFACE

It is the purpose of this report to take an overall look at the state of affairs Hispanic New Yorkers find themselves in their homes. Whether living in a high rise tenement on the Grand Councourse in the Bronx or in a makeshift apartment in a converted two-family home in Brooklyn's Sunset Park, overwhelmingly, home means coping with overcrowding and less than adequate living conditions.

This report also provides the reader with a clear sense of what the Mayor's Housing Agency, the New York City Department of Housing Preservation and Development ("HPD") is doing to cope with the challenge of providing decent housing to a population suffering from poverty.

The Report makes references to "options" or avenues that are operating or being planned to confront the problems of housing decay, overcrowding, poor urban planning and dislocation.

To dwell on these problems would only serve to be redundant. Enough reports have been authored which pinpoint the problem and describe the conditions. What follows is a modest account of HPD programs and alternatives offered as viable approaches toward solving the problems.

This Report offers no pariahs. It only documents those efforts being made and/or contemplated in order to ensure liveable and affordable housing for Hispanic New Yorkers.

Most recently, Columbia University's National Hispanic Symposium convened it's 1986 session. At the housing forum the theme echoed the need to build toward future efforts that ensure that Hispanics fair well in the housing arena. The following report serves as food for thought and substance for further action.

HOUSING NEEDS

The most basic application of the modern day economic theory of supply and demand to the housing status of Hispanic New Yorkers reflects that housing is a premium commodity in demand within a real estate market that caters to supply based on income. Moreover, a conservative trend toward "supply-side economics" fashioned by George Gilder's Wealth and Poverty has become a sign of the times.¹

This housing axiom is best typified by an excerpt from the testimony given by the New York Hispanic Housing Coalition before the United States Congress last year, which follows.²

A. The Housing Dilemma

Let me be clear at the outset. There is a housing emergency in New York. It is crisis for low-income families and a threat to the middle class. Its chief components are a lack of income necessary to meet the rising costs of shelter, and an overwhelming demand that continues to outpace supply.

Fundamentally, for Hispanics, it has become a lack of choice. And it is the direct consequence of economic and social conditions: Poverty, overcrowding, poor urban planning and an unproductive spiral of property speculation that dislocates the poor in favor of a new urban gentry.

There are several barometers by which we can measure this crisis. One of them, the income data for the various ethnic groups in New York City, is particularly instructive.

According to the Stegman Report commissioned by New York City's Department of Housing Preservation and Development, Puerto Ricans (who account for 12% of the city's population, and are the largest of the Hispanic groups in New York) comprise by far the largest proportion of households in the bottom one-fifty of annual income in New York City. In fact, Puerto Rican's median real income declined between 1980 and 1983, more than for any category in the survey except the ubiquitous "other".

For those who trumpet the virtues of a pristine private market, uncorrupted by Government assistance, the question becomes why is the force of the free market, that invisible hand that is supposed to bless all of us and not just some of us with the benefits of the American dream, not working? And the answer is that the market is working, in exactly the way it always has. Let me be more specific.

¹ This book is considered the bible of supply-side economics and asserts a new moral faith in capitalism "Capitalism begins with giving". Gilder, George. 1981, Random House.

² Testimony by Luis Miranda, Chairman, New York Hispanic Housing Coalition on September 18, 1985 before the House Committee on Banking, Finance and Urban Affairs, Sub-Committee on Housing and Community Development, United States Congress Rep. Robert Garcia (D-NY) recording member of session.

In New York City in the face of a sellers market fueled by a vacancy rate of 2.04 percent, the lowest it has been since 1970, some of the housing stock is improving, new construction in targeted areas is beginning, less abandonment is occurring, nearly all of it for the benefit of the city's upper income level of the city's residents. Yet, for the vast majority of others, there are increasingly unaffordable rents, a greater degree of overcrowding, a higher proportion of segregation and, as I said earlier, an almost total lack of choice.

The findings of the various studies that have been done in New York are clear. The latest figures show that there are only 39,594 vacant available housing units left in the city. Ten years ago there were 56,968 and twenty years ago more than 68,000 units.

There are 36,000 fewer rental units in the city today than there were in 1981, even though the city's population has grown by 78,000 people.

What we see then is both a verification of the old free-market verities, that is, that a shrinking supply and an increasing demand equals a higher price, and a ratification of long-standing historical patterns that have shown time and time and time again that the private market, left to its own devices and unaided by the efforts of liberal Democratic State largesse cannot be expected to provide housing for those of little means.

For decent housing, no matter what the current political climate may tell us, is not a commodity like any other. It is, along with food and clothing, one of the essentials of life. And, prior to the onslaught against it that began in 1980 and continues even today, it was thought to be a right of many and not a luxury or a privilege for the few.

This excerpt has dramatized a very crisis-oriented situation for Hispanic New Yorkers. It substantiates the findings of a Ford Foundation Report - HISPANICS: CHALLENGES AND OPPORTUNITIES.³ This Report states that the U.S. Hispanic population suffers from poor housing and other economic and social problems which makes this group "a population in need". It goes on to say that "minority neighborhoods, both black and brown, are increasingly threatened by downtown redevelopment as many cities increasingly become populated by only the rich and the poor".

3 A working paper report of the Ford Foundation, a Foundation Publication, June, 1984.

The following statistics reflect that Puerto Rican New Yorkers (the overwhelming predominate Hispanic group) must face a compounded problem of poor housing and abject poverty. These statistics were compiled by HPD's Office of Policy and Government Relations with sources from the Stegman Report and the U.S. Census Bureau.

These statistics reflect how Hispanics are not in a good position to broker their demand for housing in the market.

B. The Housing Market

To better understand the actual housing market the following provides a synopsis.⁴ While pondering the following the reader should remain aware of the fact that Hispanic New Yorkers have a horrendous performance track record in the housing market based on their overall condition of poverty.

A healthy housing market is one which provides the general population with an adequate number of housing units in good condition at affordable prices. These three key factors (availability, affordability and condition) are interrelated. The condition of the housing stock is dependent on income from the property sufficient to maintain it in good condition. Availability is also dependent on the population's ability to sustain the production cost of new or rehabilitated housing units.

On the basis of these key diagnostic factors, New York City's rental housing market is not healthy, but neither is it terminally ill.

Availability of Housing

As of 1984, there were over 2.8 million occupied housing units in New York City of which 29%, or more than 800,000 units, were owner occupied. The majority of the City's housing stock, 71% (or nearly 2 million units), consists of rental units contained primarily in multi-family buildings of 35 units or more.

In 1984, the overall vacancy rate for rental housing in New York City is 2.04%. The 1984 vacancy rate is 1.47% for owner occupied housing. The threshold level for a healthy vacancy rate, one which provides sufficient units for adequate mobility and which averts untoward upward pressures on rental prices, is considered to be 5% for rental housing.

It is important to note that the vacancy rate for rental housing does not vary substantially regardless of location within the City. At its lowest, the rate is 1.73% for apartments in Queens and at its highest, it is 2.52% for units renting in Staten Island. The owner-occupied vacancy rate varies from approximately 1% for conventionally owned houses to 4.55% for cooperatives and condominiums.

⁴ Public Briefing Statement, Office of the Commissioner, HPD, April, 1985.

The statistics also show that, while there is not a perfect correlation, the availability of housing is dependent on income level. In fact, there is relatively less of a shortage in luxury housing than in the market overall. At the other extreme, the lowest income brackets are especially hard-pressed to find affordable housing. However, working-class, and middle-class households find it equally difficult to find affordable housing in good condition. While the housing shortage for low income households is nationwide and natural, the housing shortage in New York City for working and middle class families is unusual and particularly severe. It seems evident that our loss of jobs and taxes is, in part, caused by the inability of corporate workers to find decent, affordable housing within easy access of their work place.

Affordability of Housing

In the long run, affordability is the lynch pin of any housing market. While rents must be able to sustain the maintenance of existing housing and the production of new housing, the equation is seriously jeopardized in New York City. The median rent/income ratio in New York City in 1980 was 28%, not in itself unreasonable. However, since the median household income for renters is only \$11,000, the rent at 30% of total unadjusted income would be \$275 per month, an amount which will not support much housing improvement and virtually no new housing. Affordability is linked to income by an inverse relationship between rent/income ratios and income. Those in the highest income brackets pay less than 10% of income for rent while those in the lowest brackets pay more than 50% of income for rent — this is paid for directly by the government through public shelter assistance in many cases. However, many in the middle-income brackets are hardest hit. Not eligible for housing assistance programs available to the poor, and without the disposable income needed to afford new units, the working poor and middle class bears much of the brunt of the housing affordability gap.

The situation in the homeownership market is similar. Although the median income of owners is substantially higher than renters (\$20,333 versus \$11,001) median monthly carrying charges for owner-occupied units are also higher than the median rent level (\$321 per month in private coops versus \$265 per month in rental units). And while 25% of all renters have income below the poverty level, nearly 8% of owners also have income below the poverty level. Affordability in the homeownership market is perhaps best characterized by the fact that a family would need an annual income of \$38,000 to afford the average existing home at \$82,500, a fact which strikes most deeply at the blue collar portion of the middle class.

Condition of Housing

A significant portion of the City's housing is either in an extremely deteriorated condition or shows signs of being on the road to uninhabitability. Three percent of the occupied stock is considered dilapidated (i.e. unsuitable for habitation). Another 20% of the stock exhibits 3 or more maintenance deficiencies and fully 50% of the stock has at least one maintenance deficiency. Among the owner occupied stock, 1% (more than 8,000 units) are considered dilapidated.

These are indications that in the face of rising operating costs, such buildings cannot be adequately maintained through rental income, either because of the low rent paying ability of tenants who live there or are willing to live there or because rental income is unduly restricted by rent regulation. Not surprisingly, studies of operating costs for rent stabilized apartments have shown that over the last 15 years the price index for such costs has grown at a greater rate than both rents and renters' incomes.

Historical Perspective and Trends

On the whole, it appears that the City has successfully stemmed the tide of abandonment which plagued New York throughout the 60's and 70's. Yet despite this "leveling off", the City continues to experience a critical housing shortage.

During, the period between 1981 and 1984 the City gained a total of 11,000 units (.04%) — the first unquestionable increase in decades. Some of this net gain is obviously attributable to new production, but more critically, gross housing losses have decreased dramatically, with a loss of 69,000 units from 1981-1984 compared with losses of 81,000 and 135,000 in the two preceding 3 year periods.

During the period between 1981 and 1984, however, the City also added 68,000 new households. As a result the overall vacancy rate for rent housing has continued to decline from 2.13% in 1981 to 2.04% in 1984.

The City has evidenced significant improvement in the quality of housing over the last three years. The dilapidation rate is now at 3% down from 4% and 5.5% in the last survey done before the current administration took office. The number of occupied dilapidated units has decreased by 21.5% or 17,000 units over the last three years and 48,000 units over the last nine years.

We feel that these positive indicators reflect the success of the City's programs, particularly the in rem housing program. This program demonstrated our ability to prevent the loss of units through deterioration and abandonment. Decrease in dilapidated units, reduction of gross losses and an overall increase in the stock are all a result of restoring in rem units to habitable use. The problem remains acute, however, as evidenced by the 62,000 families who still reside in dilapidated units.

Housing is also steadily becoming less and less affordable for many New Yorkers. Median monthly gross rent have increased 24.5% since 1981 (from \$265 to \$330) while the median renter income has only increased by 16%. As a result, rent to income ratios are on the rise.

These statistics obviously indicate that housing is still scarce and is likely to remain so as increased population, and decreasing household size place demands on housing stock which is only increasing marginally. Moreover, the data highlight trends which will require special attention. For instance, there has been a substantial increase in the number of private cooperative and condominium units (up 43% since 1981) while rent units have remained fairly constant.

C. General Housing Goals

Within the context of meeting Hispanics, and, in general, other disenfranchised New Yorkers unmet housing needs, there are several areas that must be seriously weighed.

The level of current City-assisted housing programs must be viewed within the context of the existing housing needs. Therefore, despite the magnitude of existing assisted housing resources and the assistance being pumped into the housing market annually, there is still a residual housing need of rather epic proportions. It may be instructive to assess the scale of those housing needs in order to place in context the City's goals and directions in addressing the City's housing problems.

-Upgrading Existing Housing

Such an assessment would be based on fulfilling only the most severe needs identified in the housing market. For instance, the 79,000 occupied dilapidated units which now pose a serious health hazard would have to be rehabilitated. Assuming that these units could be restored at an average cost of \$25,000 for a moderate degree of rehabilitation, that cost would amount to \$1.975 Billion.

Another 398,380 housing units are classified as suffering from 3 or more maintenance deficiencies such as lack of heat, cracked and fallen plaster or rodent infestation. Such characteristics are indications of deferred maintenance or owner neglect which could well lead these buildings into a dilapidated or abandoned state.

Assuming that these units could be restored at an average cost of \$10,000 per unit, that cost would amount to \$3.983 Billion.

Tenants of dilapidated and maintenance deficient buildings are likely to be low-income and rent poor. For instance, 45% of the occupants of dilapidated housing have rent-income ratios in excess of 40% and 70% of such tenants have rent-income ratios in excess of 25%. It is assumed that these tenants could not support the added cost of rehabilitation and would, in fact, require rent subsidies even without the added cost of rehabilitation. Clearly, a substantial amount of subsidy dollars would be required to maintain these units in the private market.

-Creating New Housing

In addition to upgrading the deteriorated existing housing, any plan to address the housing shortage must add new housing to the existing stock either through new construction or substantial rehabilitation of previously uninhabitable units. New housing is needed to raise the existing vacancy rate to a level which would provide adequate mobility and not place undue upward pressure on the cost of housing. Additionally, new housing is needed to replace housing which has exhausted its useful life cycle, to replace housing which is occupied but which does not meet current standards, or to create residential housing which does not exist where called for by overall planning or development considerations.

Regardless of the reason for new housing, let us assume that there is a minimal demand in New York City for new construction equivalent to the amount needed to raise the rental vacancy rate from its current 2.04% level to the benchmark 5% level assuming a constant number of households. That would require the construction of 55,502 units, net of losses. At an average cost of \$75,000 per units, the minimum new construction cost would amount to \$4.162 Billion. This estimate of the cost of addressing the housing shortage assumes that this new housing could be built and rented at market level rents and would therefore not require any rent subsidies and that no units of existing housing were lost through fire, abandonment, etc.

Subsidizing Incomes

In addition to the subsidy costs needed to support the rehabilitation efforts cited above, it is clear that there is a broad-based need for rent subsidies in view of the fact that 30% of all renters have rent/income ratios in excess of 40% despite existing subsidies. The City currently spends more than \$600 Million yearly in shelter rent payments. One can only project a residual rent subsidy need in excess of that figure.

-Meeting Homeowner Needs

While the problems in the homeownership market in New York City are not as acute as those associated with the rental market, there are significant problems in this area. There are indications that many owners are increasingly hard-pressed to hold onto their property. Nearly 8% of all owners fall below the Federal poverty level. Over one percent of all homeowner units are classified as dilapidated, an indication that cost of maintenance is outstripping owners' ability to pay. A further indication of this problem is the growing number of small homes acquired by the City through tax foreclosure. In the last Brooklyn title vesting alone, approximately 2,000 homeowner units were subject to in rem action.

To address only the most serious manifestations of the problems in the homeownership market would require rehabilitation assistance for the 8,043 dilapidated owner-occupied units and subsidies for the 56,509 owners below the poverty level. Assuming an average rehabilitation cost of \$33,000 per building, the total rehab cost would amount to more than \$265 Million. Again, a substantial level of subsidy would be required to permit these homeowners to subsequently maintain their homes in the private market.

In summary, the cost of upgrading only the City's worst housing and injecting some fluidity into the rental housing market amounts to \$11 Billion. The cost of subsidizing rents for only the poorest tenants in upgraded and existing housing would add a further cost of considerable magnitude. This estimate does not account for improvements to the more than one half of the City's housing stock which is characterized by some maintenance deficiency and is probably in need of external assistance. Nor does this level of assistance address the matter of overcrowding, households living on blocks with vacant and/or boarded up units, the overall age of the housing and the need to heed a realistic replacement cycle, or many of the needs of the middle class homeowners and renters.

The dollars needed to re-invigorate the City's housing are not as staggering as they sound. Currently, direct City housing funds plus the private funds they leverage amount to a capital investment of nearly one billion dollars annually in the City's housing stock. The dollar sums needed should not scare us away from the task at hand, but should only serve to confirm that the City's current strategy of leveraging its funds is the proper course to follow. Since the City can only provide a small portion of the funds needed to do the job, we must fine tune that approach so that scarce City resources are used efficiently as seed monies to leverage increased private investment.

II. CITY HOUSING SERVICES - HPD

HPD is a municipal agency which is responsible for addressing the many complex housing needs of New York City. This has been approached by taking a strong posture.

That is, the City's housing programs have principally been directed at meeting the needs of the lowest-income stock, with a relatively small portion of total housing assistance being directed at working and middle class renters and homeowners.

Moreover, the Koch Administration's housing efforts have been undertaken in a tripartite program. First, assistance has been directed at maintaining and improving the existing housing stock. Second, we have strived to create new units to relieve the pressure of low vacancy rates. Third, we have necessarily sought to recycle and turn into permanent resources those buildings which have fallen out of the market and have become city-owned.

The following furnishes the reader with: (A) an overview of the mandate of HPD;⁵ (B) a summary of agency programs;⁶ and, (C) a list of recent accomplishments.⁶

Since HPD does not monitor its programs along racial/ethnic lines, it is not possible to pinpoint services or allocations dedicated exclusively for Hispanics. Yet, the agency can provide accurate data on how programs serve communities that are significantly populated by Hispanics. The following section focuses on how housing services are delivered to these communities.

5 Public Briefing Sheet, Office of the Commissioner, HPD, October, 1985.

6 Revised Guide to Public Programs, HPD, December, 1985 (Part of Commissioner Gliedman's testimony before the Mayor's Commission on Hispanic Concerns, February 10, 1986).

7 Mayor's Management Report, Office of the Mayor, February, 1985.

A. HPD MANDATE

The City of New York consists of several hundred neighborhoods. The three aspects of the housing crisis - affordability, availability and adequacy - have affected each of them for over a generation. For many years, government had only a limited number of programs to deal with the low vacancy rates, deteriorating housing and high rents and prices of housing. If those programs didn't work (high rise Mitchell-Lama, dense public housing or gut rehab under the municipal loan program), the City would not be able to help much. During these years, as many as 45,000 housing units per year were lost. As recently as 1975-78, 135,000 apartments were abandoned and vacated.

Today, we have stemmed the tide of housing losses. The gross loss rate has been cut in half and, on a net basis, we are actually gaining housing units (between 1981-84 we gained about 11,000 units). Contrast 1975-78 where the net loss was about 55,000 units. Preserving this housing prevented neighborhoods from disappearing, prevented large scale homelessness and allowed for New York's population to begin increasing after years of decline. Similarly, the number of deteriorated or dilapidated units has declined dramatically (by nearly 50%) while housing cost increases were held to the general rate of inflation (i.e., no increase on a constant dollar basis).

While we now have many housing programs to address the multitude of different types of housing, communities, renters, owners, etc., the principles of our housing policy are simple and straightforward. They are:

1. preservation of existing housing;
2. rehabilitation rather than new construction;
3. low rise and low density in most neighborhoods;
4. getting the private sector to build and rehabilitate affordable housing again;
5. promoting homeownership for people of low, moderate and middle income and
6. providing shelter and permanent housing opportunities to the homeless.

In addition to all we were doing before (a ten fold increase in rehab starts - from 1750/year to nearly 20,000/year; rehabbing 4,000 units for the homeless; and beginning the first 2000 units of the 15,000 unit small home programs, etc.) we will be doing much more. We will be enlarging a number of programs, beginning several new programs, starting to see construction or implementation of others. Using the policy guidelines mentioned above, these include:

I. Preservation of Housing

- a. expansion of cyclical code inspections - now able to visit large multiples every five years as well as respond to complaints;
- b. administrative tribunal to hear all violations each year, not wait until big housing court case (NEEDS STATE LEGISLATION WHICH WE ARE SEEKING);
- c. began special unit of inspectors to look at security and quality of life conditions;
- d. Increasing availability of night inspectors - now to be as much as 20% of force;
- e. court cases being increased substantially as well as institution of major case unit to find hidden interest and partners, increase fine collection, look at pattern of ownership, etc.
- f. Accelerating of in rem vesting;
- g. capital funds available for in rem major system replacement for first time - \$9M.

II. Rehabilitation

- a. enlargement of existing rehab program with Koch/Cuomo money to produce or renovate 75,000 units over a ten year period in excess of existing program levels;
- b. HODAG implementation begun - \$34M in federal grants for major rehab (awarded several times more than any other locality or state) (1350 units);
- c. Section 17 implementation - \$31M (several times any other locality or state); modelled by U.S. after our PLP program (4000 units);
- d. comprehensive area approach - do an entire neighborhood - (e.g., two block either side of Grand Concourse;
- e. new housing program and emphasis for the work poor/moderate income population;
- f. homesteading RFP - 6-10 unit buildings are basic models - we provide \$10,000 unit;
- g. Shopsteading opportunities to avail itself in a number of communities.

III. Low Density/Low Rise Approach

- a. to be expanded through zoning changes which would allow shorter buildings covering more of a site - will allow large cost savings, make it possible for private sector to build again outside of central Manhattan, especially together with other programs.

IV. Private Sector - formerly built as many as 100,000 units/year; now generally about 10,000 or less - we have redesigned programs to increase their participation in projects outside of Manhattan core:

a. MAC - bond issue implementing first \$40,000,000 of program hailed as creative and first of its kind in country by Wall Street Journal - interest rate below 9% - first two projects will begin August or September - next 6 closely thereafter - on city sites, tremendous interest 153 proposals on 60 sites proposing 7300 units - to be announced in the next 60 days or so;

b. 421a changes - maligned tax exemption program actually makes money for city under almost any reasonable scenario - even today, all agree that vast majority of units built under program are occupied by middle income people we have taken program out of Central Manhattan where it now isn't necessary - rents are so high that full Real Estate Taxes could be paid - unless at least 20% of units are for low and moderate income tenants - if these low and moderate income apartment built off site, percentage will be even higher (perhaps 30 to 40 percent);

c. help owners with site clearance and acquisition so one tenant doesn't hold up large project;

d. anti-warehousing legislation - help 5000 or more units to market - most relates to co-oping and we support changing the law to drastically lower number of vacancies in buildings going co-op (NEED STATE LEGISLATION);

e. \$1/building program - new RFP to be issued with 30 days.

V. Homeownership

a. enlarge DAMP programs - funds provided in Budget already - more than 10,000 apartments sold, generally to tenant and community based groups; another 13,200 units already in pipeline;

b. new sales program - pilot 40 buildings in CB 5 and 16 in Brooklyn \$25,000 to \$35,000 in City loans to rehab 1 or 2 family houses bought at sealed bid auction for less than \$15,000 - if successful, extended to rest of City;

c. Harlem sales model - 149 buildings sold - while 65% guaranteed to residents, of CB's 9 and 10 in Manhattan, actual purchases even more from the area - about 1200 participants.

d. Housing Partnership to expand program to many new areas and begin work on about 20 sites in all 5 boroughs;

e. Nehemiah expanding to East N.Y. for an additional 1550 houses - for a total of about 2,500 - Congress using as a national model;

f. funding for general RFP for about 500 homeownership units - already awarded first two hundred in Bronx - ground breaking for models this month as you recall this is site with Housing P.B.A. as sponsor);

g. \$400 Million provided SONYMA - similar to what was recommended in your \$4.4 Billion program;

g. \$400 million per year for homeownership programs in the city provided under Koch/Cuomo program - first regulations being issued by state for comment - should be operational this spring.

i. expansion of Repair Program for Senior Citizen homeowners - more than 2500 homes repaired already combined with home safety audit program only program of its kind in the country.

VI. Homeless

a. Moratorium on SRO housing - largest of its kind in the country - about 75,000 units - study contract awarded to Urban Systems, approved by Board of Estimate at last meeting;

b. permanent and transitional housing - about to award nearly \$30 million to about 24 groups to rehab buildings for families and singles - will do about 1750 beds;

c. lease capitalization program - substantial builder interest - RFP issued, closes 8/29/86 - will use emergency shelter allowance to rehab or build housing for homeless;

d. state and city working together on next round of HHAP (Homeless Housing Assistance Program) - will be announced shortly, most of city-based program to involve city buildings;

e. program to utilize \$2M for Macklowe to be implemented;

f. well under way on 4000 units for the homeless to be started this year - very difficult goal.

III. HOUSING AGENCY ACCOUNTABILITY

A. Housing Service Delivery - HPD Community Districts

HPD delivers services to distinct community districts on a city-wide basis. The agency utilizes local field offices known as Neighborhood Preservation Program Offices to frame a variety of programs into a clear picture of what HPD has to offer local communities.

It also works with local development corporations ("LDC's) under technical assistance contracts to answer and address community concerns about agency programs that offer an array of services on the local neighborhood level.

This section offers a sampling of thirteen (13) different community districts with a significant Hispanic population. The sampling provides an overview of how a number of HPD programs; i.e., PLP Loans, 8-A Loans, Alternative Management, Homesteading, Anti-Abandonment Counseling, etc, works to both preserve and develop these communities. These samplings are provided by HPD's Office of Community Development & Neighborhood Preservation.

By borough, these thirteen (13) community districts are:

Manhattan

Chelsea/Clinton

East Harlem

Lower East Side

Washington Heights

Brooklyn

Bushwick

Park Slope

Sunset Park

Williamsburg

Bronx

Grand Concourse

South Bronx

Queens

Astoria

Elmhurst

Jackson Heights

It should be noted that the City Council funded an HPD Cyclical Inspection Program at the level of over \$3 million dollars (June, 1985). The program provides basement to rooftop, inspections of multiple dwellings in designated areas. The purpose of the program is to actively pursue a policy of preserving existing housing stock. Such a program will be of major consequence in a number of the 13 community districts listed.

B. L.E.S.A. (Limited English Speaking Ability) Capabilities

HPD has a variety of brochures, pamphlets and program descriptions available in Spanish. This does not preclude the agency from developing more bilingual materials. To this extent, it is closely scrutinizing the feasibility of setting up a language bank. This would be an in-house operation which would provide language service capabilities to the agency.

C. Employment Policies

Department of Housing Preservation and Development reaffirms that it is determined to be in compliance with Mayor Edward I. Koch's Executive Order No. 1, and with City, State, and Federal anti-discrimination laws as they relate to employment in this agency, consistent with the concept of merit employment.

The agency follows a set framework of the Civil Service Law.

1. Review all aspects of employment policies and practices as they relate to selection criteria, recruitment, hiring, promotion, transfer, disciplinary procedures, separations, benefits, agency-sponsored training, education tuition assistance and other terms and conditions of employment.
2. Determine whether any of the above practices and policies are or have been resulting in an adverse impact, which is not job related, on women, minorities, and/or the handicapped from entry into or advancement in employment in accordance with their skill and ability.
3. Recruit, hire, and promote (within the framework of the Civil Service Law) all job classifications without regard to race, color, religion, sex, age, national origin, or sexual orientation or affectional preference and base all employment decisions so as to further the principles of equal opportunity.
4. Insure that promotion decisions and other personnel actions, i.e., compensation benefits, transfers, terminations, agency-sponsored training, educational tuition assistance, social and recreational programs will be administered without regard to race, color, religion, sex, age, national origin, or sexual orientation or affectional preference.
5. Provide, pursuant to the Vocation Rehabilitation Act of 1973, equal employment opportunity as set forth above to qualified disabled or handicapped persons.
6. Comply with the provisions of Executive Order No. 4 of 1978, barring discrimination in employment because of sexual orientation or affectional preference.

The Agency disseminates the following policy statement throughout the agency:

In order to insure that Management, Department Heads, Supervisors, all employees, all applicants for employment, and others are informed that the agency is an Equal Opportunity Employer and are aware of its official policy on Equal Opportunity, such of the following steps as have been taken will be continued and those not yet in operation, will be taken:

A. Internal Dissemination

1. Special meetings with Management, Department Heads, and Supervisors will be held before the end of the fiscal year to review and explain the extent of the agency's responsibility for effective implementation of the EEO.
2. Department Heads and Supervisors will, following the meeting outlined in Paragraph 1, meet with the Staff they supervise to further delineate the agency's policy in Equal Employment Opportunity.
3. The policy statement on Equal Employment Opportunity will be duplicated and posted on employee bulletin boards where it will be available to all personnel.
4. Copies of EEO posters in English and in Spanish will be prominently displayed.
5. The Commissioner's Policy Statement on Equal Employment Opportunity will be included in the agency's Manual of Operation.
6. The agency's Informal Complaint Procedures will be disseminated to all employees, including posting on all employee bulletin boards.
7. The policy on Equal Employment Opportunity will be printed in the next issue of any in-house publication by the agency and annual thereafter.
8. Article featuring agency employees will include both minority and non-minority men and women.
9. Training programs and new employee orientation sessions will include information on the Policy Statement and discussion of the agency's Equal Employment Program. Major elements of the EEO will be made available to employees at the training and orientation sessions and will also be available through Department Heads and in the Personnel Department.

The Equal Employment directive is geared toward enhancing minority representation at HPD. The most recent workforce analysis of Hispanics employed by HPD (June, 1985) reflects the following:

<u>Category</u>	<u>Male</u>	<u>Female</u>	<u>Total</u>	<u>Agency Pct.</u>
Management	7	0	7	4%
Professionals	18	14	32	6%
Administrators Officials	10	22	32	7%
Maintenance	1	0	1	9%
Technicians	103	22	125	11%
Office Clerks	15	92	107	12%
Para Profes- sionals	100	26	126	29%

D. Legal Practices

Over the last year, HPD has received a total of six (6) complaints alleging discrimination in regard to Hispanics. This is an extremely low number in relation to an agency directly employing over 3,400 and under contract with a host of other.

The agency takes great pride in the fact that the efforts as advocates for fair housing clearly overshadows legal actions/complaints against the agency.

As fair housing advocates, HPD operates a program through it's equal opportunity unit. It maintains the following strategy.

The stated objectives of our Fair Housing Strategy is to:

- ° provide a more effective structure for planning, coordination and evaluation of the City's fair housing efforts
- ° provide housing opportunities and locational choices for low- and moderate-income families of diverse ethnic and racial origins;
- ° aid low- and moderate-income families, seeking housing services, and
- ° strengthen the mechanism to enforce local fair housing law so as to ensure compliance in both the public and private housing markets.

The major focus of our DC VII Fair Housing is:

- a) the enforcement of local and federal fair housing laws through the City Commission on Human Rights and the courts; and
- b) the provision of in-place housing services through the Housing Court Dispute Resolution Project and the Fair Housing Counseling Office; and
- c) the joining, in a voluntary relationship, with the United States Department of Housing and Urban Development's Office of Fair Housing and Equal Opportunity to participate in New Horizons Fair Housing.

Legal Practices (con't)

The agency takes great pride in the fact that the efforts as advocates for fair housing clearly overshadows legal actions/complaints against the agency.

As fair housing advocates, HPD operates a program through it's equal opportunity unit. It maintains the following strategy.

The stated objectives of our Fair Housing Strategy is to:

- ° provide a more effective structure for planning, coordination and evaluation of the City's fair housing efforts
- ° provide housing opportunities and locational choices for low- and moderate-income families of diverse ethnic and racial origins;
- ° aid low- and moderate-income families, seeking housing services, and
- ° strengthen the mechanism to enforce local fair housing law so as to ensure compliance in both the public and private housing markets.

The major focus of our DC VII Fair Housing is:

- a) the enforcement of local and federal fair housing laws through the City Commission on Human Rights and the courts; and
- b) the provision of in-place housing services through the Housing Court Dispute Resolution Project and the Fair Housing Counseling Office; and
- c) the joining, in a voluntary relationship, with the United States Department of Housing and Urban Development's Office of Fair Housing and Equal Opportunity to participate in New Horizons Fair Housing.

Besides the efforts of Fair Housing and Community Law Office, HPD addresses the legal-assistance/counseling needs of Hispanic tenants and tenant organizations on a day to day basis. The Housing Litigation Bureau provides lawyers citywide.

The Bureau represents the City in all housing code compliance actions instituted by HPD in the Housing Part of the Civil Court as well as in tenant actions to which HPD is named a party. Legal remedies most often requested of the Court include civil penalties, orders to correct, recoupment of Emergency Repair Program expenditures, the initiation of heat and hot water actions during the winter months, and the enforcement of judgements obtained. The Litigation Bureau also administers the SRO Anti-Harassment Program, which ensures that Building Department permits for major alterations to single room occupancy hotels are not issued if the previous tenants were vacated illegally.

IV. HPD AND BEYOND

A. EARP: Inter-Municipal Cooperation

HPD works closely with another city agency to ensure that the growing homeless housing problem is addressed by attacking homelessness at the initial stage.

The agency works with the Human Resources Administration ("HRA") on the Emergency Assistance Rehousing Program ("EARP") to provide housing for recent homeless families.⁹

B. Battery Park City: Municipal-State Cooperation

Battery Park City (Koch-Cuomo Housing Pact). The Battery Park City Authority will issue tax-exempt bonds that will provide over \$400 million to New York City for housing. An additional \$250 million over the next ten (10) years would be made available through a state Housing Trust Fund. The funds will finance the construction of 60,000 units.

⁹ EARP is managed by HRA and this agency conducts the referral of families to be served. The target is families living in temporary accommodations. HPD offers a monetary bonus to landlords who rehouse these families (who are public assistance recipients). Under this program, landlords are required to remove building violations. Over the last three years, HPD has made EARP payments of about \$3 Million and rehoused over 1,190 individual family members in in rem housing.

The Battery Park City Pact is part of a larger mayoral/gubernatorial agreement:

The program total \$1.2 billion from the following sources:

- * \$400 million - Battery Park City Authority bond proceeds
- * \$250 million - Port Authority Bank for Regional Development, this will also require legislative approval;
- * \$200 million - increased payments - in-lieu of taxes from the World Trade Center;
- * \$100 million - Fund for Regional Development, which is funded by the difference between the rental the State paid for space in the World Trade Center and the rate which is now being paid for that space by private tenants; and
- * \$250 million - State Housing Trust Fund over the next 10 years at \$25 million per year. This will require a yearly appropriation in the State budget.

As previously mentioned, the funds are expected to finance the construction and rehabilitation of 60,000 units. This would be done through the expansion of existing programs such as: 8-A, PLP, and DAMP. HPD would also do more extensive rehabilitation of centrally managed properties that are expected to remain City-owned. We may also create new programs that would target smaller multiple dwellings in the outer boroughs and concentrate on 15 to 20 block areas throughout the City, where our efforts would hopefully attract additional private investment.

The program would be targeted to various income groups as follows:

- * 40% of funds to low income household (defined as households earning less than 60% of area median);
- * 30% to moderate income household (earning less than 100% of area median); and
- * 30% to middle income households (earning less than 200% of area median).

C. Mutual Housing: Municipal-Federal Cooperation

Mutual Housing Association ("MHA"). The Neighborhood Reinvestment Corporation (established by an act of Congress as P.L. 95-557) is a public nonprofit corporation charged with implementing and expanding neighborhood revitalization. The corporation, NRC, adopted a "mutual housing association" from a German housing scheme. Such an endeavor provides affordable housing to low and moderate income families under an arrangement which is a combination of homeownership and rental described as a "housing hybrid". After being

tested in Baltimore, NRC is planning to test the mutual housing association model in the Lower East Side of Manhattan. This particular community district has a large cluster of Hispanic residents.

Mutual Housing Associations are designed to have the following characteristics:

- They are publicly accountable nonprofit corporations.
- The Association rehabilitates and/or produces housing which it owns and operates in the public interest.
- Resident members of the Association participate in the financing by paying a refundable capital fee; participate in its management, and are encouraged in a psychological "pride of ownership".
- The Association's governing body is made up of a majority of resident members and waiting members, as well as representatives of the surrounding neighborhood, local government and housing professionals, including representatives of businesses and financial institutions.

The demonstration is seeking to determine whether the Associations can:

- Produce congruence of interest among subsidizer/developer/owner/operator/tenant/community.
- Rehabilitate and/or produce housing and operate it efficiently and at minimum long-term public subsidy cost.
- Assure long-term good maintenance through psychological "pride of ownership" in the properties of the Association.

For the Lower East Side ("Loisada") community of Manhattan, the corporation will test the principle's of the mutual housing approach:

- ° That a Mutual Housing Association — as an entity governed by a Board of Trustees representative of resident members and waiting members, the adjacent neighborhood, local government, and the local business community — will produce greater congruence of interest among concerned groups and entities.
- ° That a Mutual Housing Association, as a publicly accountable, private nonprofit corporation, can rehabilitate existing housing, produce new housing and operate it efficiently, and at minimum long-term costs in public subsidies.
- ° That a Mutual Housing Association, as a result of active involvement of resident members and other inducements, can engender a psychological pride of ownership in the properties of the Association, which will be a factor in ensuring long-term good maintenance.

Akin to the notion of creating public avenues for affordable housing with Battery Park City and Mutual Housing, the overall idea of devising public domain-generated funds had it's origin, in part, through the astute findings of the Citizens Housing and Planning Council ("CHPC").

The Council's report: On It's Own: New York City Approaches Affordable Housing (December, 1984) proposed creating a public benefits corporation known as the "Housing Development Services Corporation" for the purposes of gathering and selling publicly owned sites, obtaining zoning changes, coordinating governmental approval processes and helping to arrange financing for developers. This public corporation would be permitted to solicit private and philanthropic contributions. The corporation would be complemented by a donor aspect, a "Housing Trust Fund" which would finance housing for low and moderate income families. The trust fund would collect money from the city's share of real property gains, real estate transfer taxes and a draw of funding from federal government. See APPENDIX A For report.

D. Private Sector Initiatives: Collaborations and Partnerships

In addition to the scenario of public efforts to provide affordable and decent housing to Hispanics and other in need, the private sector has been challenged to take up the task.

COLLABORATIONS

Mayor's Panel on Affordable Housing Plan. On December 24, 1985, Mayor Koch contacted developers asking them to identify laws, practices, zoning ordinances, tax policies or exemptions which if changed would foster the creation of large scale affordable housing production. On March 6, 1986 a consolidated response from the Real Estate Board of New York, Rent Stabilization Association and the Associated Builders & Owners identified in great detail changes requested by the Mayor.

What follows are the recommendations of developers which will serve as a blue-print for future activities in the real estate industry.

V. NEIGHBORHOOD REVITALIZATION

The City Council has been the source of some excellent recommendations for neighborhood revitalization. Most recently, serious thought has been placed on an emphasis to expand existing HPD programs.

To think that the Mayor or HPD make policies in a vacuum totally free or uninfluenced by political considerations would be naive. In fact, the basic political empowerment system in any large urban center utilizes constructive comments as a resource to better serve it's citizenry. With this in mind, the following offers two incisive primers which HPD has seriously scrutinized. Both came from the City Council; one from a newly arrived member, the other from a departed council member. (Both David Dinkins and Carol Bellamy are held in high esteem by the City's Hispanic leadership).

1. The Dinkins housing policy brief is a general statement which sets the tone for a concerted city platform for better housing.
2. The Bellamy housing report is a specific statement which addresses HPD program enhancements. (This report was authorized by Cushing N. Dolbeare - Washington-based housing consultant).

These primers have been inculcated within this report because their content directly impact upon Hispanic New Yorkers. Both are statement which contain issues; i.e., housing deterioration, displacement and gentrification which address the heart of the Hispanic housing dilemma.

EPILOGUE: On The Year 2000

By the year 2000 Hispanic New Yorker will face greater challenges in the housing arena. The Urban Research Center regional job and population projections suggest that more people will be moving in the City to fill the increased number of service-oriented jobs in the central business district ("CBD") thereby eliminating their commute from New Jersey, Westchester, and Long Island. The migration to the five boroughs will increase gentrifying efforts in all boroughs, particularly in Queens and Brooklyn. These boroughs have the public transportation capacity to handle an increase in population. Neighborhoods with good access to the CBD such as the Lower East Side, East Harlem, Sunset Park, and Williamsburg are targets for gentrification. In order to realize the population projections, the Urban Research Center advises, "public policy must allow for some degree of gentrification in various forms to continue, in the high-accessible areas".¹⁰ The Center also points out that efforts for a balanced community have not been successful.

Until now, we have seen many HPD programs striving to stem further deterioration and abandonment with many successes to point to. However, there are numerous inroads that are yet to be carved out to better house Hispanic New Yorkers. Eleven years into the Community Development program and we still see homelessness on the rise and families doubling-up in Housing Authority projects. We believe that HPD alone cannot stem the problems of overcrowding and less than adequate living conditions. The effort to better house Hispanics requires a coordinated response by HPD, the private sector, both profit and non-profit, and the communities at large. To address the problems in the housing arena, particularly to increase the homeownership opportunities, this consortium must be established.

The Mayor's Commission on Hispanic Concerns is a positive and great step forward in this effort. The Commission, whose members include, bankers, real estate developers, lawyers, and educators from the Hispanic community, will provide policy makers with recommendations that should be given major consideration.

This is extremely vital if we consider the housing estimates provided by the New York City Planning Commission Report on Capital Needs and Priorities.¹¹ In this report it has been projected that by the year 2000 there may well be an occupied housing stock of 3 Million units. With the supply and demand factor intensifying and the era of mass housing abandonment a thing of the past, Hispanics will be in dire need to improve their status in the city housing arena.

This report serves as a format to probe the recommendations of the Mayor's Commission. With the best of intentions, this report hopefully will be followed by a concerted effort to address Hispanic concerns in housing.

10 Urban Research Center of New York University Report : Demographic & Population Trends By The Year 2000. New York University Publication, 1986.

11 Capital Needs & Priorities, a Report by the New York City Planning Commission, 1986.

APPENDIX 3-11

Submission by:

HUMAN RESOURCES ADMINISTRATION

Attached report, plus:

- Table of organization
- Estimated incidence of Hispanics among clients
- Bilingual reporting system (distribution of HRA bilingual staff)
- Samples of translated flyers and forms
- 1986 EEO report
- Membership of DSS advisory board and district Advisory councils



HUMAN RESOURCES ADMINISTRATION
250 CHURCH STREET, NEW YORK, N.Y. 10013

HARVEY ROBINS
Acting Administrator/Commissioner

M E M O R A N D U M

DATE: September 12, 1986

TO: Dennis de Leon, Executive Director
Mayor's Commission on Hispanic Concerns

FROM: Harvey Robins

SUBJECT: REPORT TO THE COMMISSION

The Human Resources Administration [HRA], currently in the second year of an ambitious four year reorganization effort, provides income support and social services to New York City's needy. Most of HRA's \$4.5 billion budget is spent on entitlement programs for the poor -- especially public assistance and Medicaid -- which involve substantial financial participation and regulatory oversight by the Federal and State governments. The agency also operates, directly or through contracts, day care centers, senior centers, employment services, shelters for the homeless, protective and preventive services for both children and adults, foster care, home care for the ill and elderly, and community action programs.

In 1984 a mayoral commission, known as the Beattie Commission, was created to consider whether HRA should be reorganized and to suggest improvements in the way the City delivers services. Their January 1985 report recommended that over a 5-10 year period HRA consolidate its organizational structure to strengthen accountability while decentralizing many of its programs to improve the public's access.

Steps already taken include the consolidation of the eight existing program areas into three new agencies and the appointment of a new executive management team. All HRA child welfare programs are now in the Family and Children's Services Agency [FACSA]; the programs providing public assistance, Food Stamps, and Medicaid to needy New Yorkers are part of the Income Assistance Agency [IAA]; and HRA programs providing social services to adults, senior citizens and homeless individuals and families comprise the Adult Services Agency [ASA]. Other major elements of the

plan, all in various stages of implementation, are the creation of 44 FACSAs field offices; the decentralization of all Medicaid and adult protective services to borough sites; and the establishment of five Multi-service Centers (one in each borough), providing access to key HRA services.

The following programs are part of the Family and Children's Service Agency [FACSA]:

- Special Services for Children [SSC];
- Agency for Child Development [ACD];
- Office of Adolescent Services [OAS];
- Office of Family Services [OFS];
- Office of Psychiatry, and the;
- Office of FASCA Field Operations.

These programs provide services to families and children, including day care, Headstart, adoption services, foster care, preventive services, family planning, psychiatric services, and homemaker services. FACSA also provides targeted information and referral, and supportive services, through its 44 field offices, which are located throughout the city.

The Adult Services Agency [ASA] is responsible for the programs operated under the auspices of the offices of Family and Adult Services [FAS] and Crisis Intervention Services [CIS].

FAS provides an extensive range of social services for aged and homeless adults, including senior centers and shelters; shelters for battered women; protective services for adults (including eviction prevention services); case management for discharged mental patients; referrals to, and counseling at, adult homes; and advocacy and referrals for rape victims.

CIS provides a wide range of services to families and adults, including emergency housing and relocation services for homeless public assistance families; case management for families housed in hotels and shelters; social services for individuals residing in single room occupancy housing; surplus food distribution; disaster services; energy assistance information; and emergency services for vulnerable occupants of heatless apartments.

The Income Assistance Agency [IAA] is responsible for the administration of the public assistance, Food Stamps, Medicaid, home care, and child support programs, as well as employment programs for public assistance recipients. IAA has three divisions, as follows:

-Income Maintenance [IM]: determines initial and continuing eligibility for assistance through the Aid to Families with Dependent Children [AFDC], the Aid to Families with Dependent Children of Unemployed Parents [AFDC-U], the Home Relief [HR], and Food Stamps programs.

-Medical Assistance Program [MAP]: determines initial and continuing Medicaid eligibility for persons not in receipt of public assistance (those receiving public assistance are automatically eligible) and for those in need of long-term custodial care. MAP also authorizes home care services for eligible persons, which are provided primarily through contracts with home care vendors.

-Income Support [IS]: develops and administers training and employment programs for public assistance recipients; provides child support services for children in receipt of AFDC by locating absent parents, obtaining orders for support payments; and provides, on request, child support services for children not in receipt of AFDC.

These three program agencies are the critical elements of discussion for this report. Attachment # 1, is a Table of Organization showing HRA's administrative structure.

I will now address the individual items of interest as per the Commission's format.

I Services - What is the incidence of Hispanics among client population by program area and geographical distribution?

HRA does not collect data on ethnicity because it is not related to the receipt of services. However, the Office of Policy and Economic Research [OPER] has been able to estimate the ethnic composition of the Public Assistance [PA], Food Stamps [FS], Medicaid, and Supplemental Security Income [SSI] caseloads (see Attachment #2: Tables 1 & 2). This data is based on Census Information from the 1985 Current Population Survey [CPS], not on HRA records. The CPS had a very small sample size, and therefore the estimates should be viewed cautiously.

In addition, HRA is currently undertaking a comprehensive project to identify and serve clients with Limited English Speaking Ability [LESA] who require translation services to communicate with HRA staff. The survey is not limited to Spanish speaking individuals, however, but will identify LESA clients from every linguistic background - Spanish, French-Creole, Italian, Chinese, and Vietnamese, as well as other languages.

The project will be completed in two phases. Phase I will survey all program areas and develop a plan to systematically update LESA information. Phase II will establish or update targets for bilingual staffing levels, and develop a plan to ensure that each program area has sufficient staff, knowing the appropriate languages, to meet its LESA needs. Bilingual staff targets will be monitored through management plan indicators. Phase I will be completed by the end of October 1986, and Phase II in February 1987.

II Service Delivery

- Methods used to disseminate information within the Hispanic community regarding available services (i.e. bilingual advertisements, bilingual community representatives, and community outreach programs)?
- Method of resource allocation: does such allocation take into account the particular problems or concerns of the Hispanic community? What is the allocation breakdown?
- What are the plans for future services? Has the agency requested any additional funds?

Attached to this report are samples of booklets, flyers, and posters developed especially for the Hispanic community (see Attachment #4: sample flyers, booklets, and posters in Spanish).

Also included are forms translated into Spanish used by the following agencies: Income Maintenance [IM]; Medical Assistance Programs [MAP]; Special Services for Children [SSC]; and the Bureau of Child Support [BCS] (see Attachment #5: programs in Spanish).

Within the Office of Community Affairs [OCA], an administrative line has been created for a Special Assistant for Hispanic Affairs. The Special Assistant will establish and maintain liaison with groups and agencies providing social services to the Hispanic communities in New York City. Further linkages will be fostered with Hispanic elected and appointed officials to ensure the transmittal of pertinent and accurate information as it relates to HRA's services to the Hispanic community.

A new study conducted by the Office of Policy and Economic Research, "LIMITED PROFICIENCY IN ENGLISH AMONG NEW YORK CITY HISPANICS", seeks to identify the distribution of people with limited proficiency in spoken English among New York City's Hispanic residents who participate in cash assistance programs -- SSI and Public Assistance. Preliminary results show that the number of Hispanics should not be the sole basis for allocating staff or resources for a particular community. Proficiency in speaking and understanding English varies significantly, depending on factors such as length of stay in the United States, age, and income.

Based on this and other studies, HRA will establish and maintain levels of service to the Hispanic community within available resources. A selective bilingual certification process is used to help HRA meet its LESA needs, for the Hispanic community, as well as for other groups with limited English speaking abilities.

III L.E.S.A. (Limited English Speaking Ability)

-Existing Bilingual Services - What, if any, bilingual services exist?

-Planned Bilingual Services

-Staff Training to work with LESA applicants

-Bilingual forms, instruction sheets, or signs; Are translator services readily available?

The LESA survey, currently underway, will assist us in much the same way as did the studies conducted after the Mendoza proceeding with regard to Income Maintenance, SSC field offices and Food Stamp offices (i.e. establishing bilingual staffing targets to better serve clients with limited English speaking ability).

HRA will apply the same procedures to address the language needs in other HRA programs. The selective certification process is used to replace staff if a Civil Service list exists, and provisional bilingual staff are recruited if one does not exist. Although Crisis Intervention Services [CIS] does not maintain formal targets yet, it has been meeting its goal to have Spanish-speaking staff for all shifts at the congregate shelters.

Staff does not receive special training to work with LESA applicants. The Office of Staff Development and Training [OSDT] does provide some training concerning Hispanic culture and service delivery for SSC and other programs. In addition there are plans to expand this kind of training.

Attached to this report are copies of all our forms which have been translated into Spanish. These are identified by program area (see attachment #5).

Two staff members in the Office of Public Affairs translate Spanish language news reports, letters, and forms and assorted materials. Program units use bilingual staff to provide translation services.

Although we rely on the periodic studies of the LESA population and the subsequent monitoring of changes in client populations to estimate bilingual staff needs, we remain sensitive to individual reports of difficulties that LESA clients may be experiencing. We investigate and attempt to resolve all complaints.

IV. Hispanic Representation

- What is the Hispanic representation in the agency workforce (management/non-management), and on advisory and quasi-legislative boards?

Attached is a copy of the HRA Equal Employment Opportunity Program's June 1986 quarterly report (Attachment #6), a comprehensive statistical presentation on our managerial and non- managerial workforce.

Number of HRA Bilingual Staff

The number of HRA certified bilingual staff, as of May 1986 was 2,067 of whom 1,760 are Spanish speaking and 1,381 are in client contact areas. In response to the Mendoza agreement, HRA conducted studies of the bilingual staffing needs for Income Maintenance [IM], and established bilingual staffing targets based on these studies. These targets are monitored monthly and are updated as necessary (see Attachment #3: report sample).

Bilingual staffing targets have also been established in SSC field offices. In order to ensure that bilingual staffing needs are addressed throughout the agency, the Management, Budget and Policy Agency and the Office of Personnel Services [OPS], conducted an agency-wide language access survey this summer.

The DSS/HRA Advisory Board has four Hispanic members out of a total of twenty-seven. The percent of Hispanic representation is 14.8% (see Attachment #7).

Hispanic representation on the HRA/DFS (Office of Family Services) Community District Advisory Councils is 19.3%. Approximately 193 representatives are Hispanic out of a total membership of 1,000 (Attachment #8: memorandum detailing the district breakdown). The Office of Family Services has also designated an administrative position for a liaison to the Hispanic community. This staff position is located within FACSA's Community Relations Department.

U. Lawsuits/Complaints

- Outstanding or recently settled (within one year) lawsuits/complaints against the agency involving Hispanic issues.

There are no major outstanding or recently settled suits or complaints involving Hispanic issues.

UI. Labor: Are there separate job categories/bonuses for workers using language skills?

There are no separate job categories/bonuses for workers using their language skills. However, our Office of Personnel Services [OPS] does test and certify individual workers' bilingual skills. Certified bilingual workers are expected to serve individual clients within their program units who do not speak English. There is no additional monetary compensation.

VII Coordination

How is information/expertise on services to the Hispanic population exchanged between HRA programs or other agencies?

Information and data collected via the current LESA survey as well as other periodic surveys and studies are coordinated by HRA's Office of Management, Budget and Policy [MBP]. This office often works in conjunction with other support or program units (e.g. Office of Procurement Services) in working with the Office of Policy and Program Development, a component of the MBP, on the LESA survey. Normally, these studies and their accompanying assessments and recommendations are discussed by and disseminated to various levels of HRA management.

APPENDIX 3-12

Submission by:

DEPARTMENT OF JUVENILE JUSTICE

Attached report, plus:

- Leaflet on medical services (Spanish)
- EEO data
- Bilingual forms
- Non-Secure Detention Resource Directory (includes Hispanic resources)



ELLEN SCHALL
Commissioner

DEPARTMENT OF JUVENILE JUSTICE
365 BROADWAY • NEW YORK NY 10013 • 925-7980

COMMISSION ON HISPANIC AFFAIRS

Services/Language Services Study

The Department of Juvenile Justice provides detention, aftercare and prevention services for juveniles in New York City. The Department runs the City's only secure detention facility for juveniles, Spofford Juvenile Center, located in the South Bronx. Spofford serves children aged 10-16 who are awaiting trial, placement or sentencing. DJJ also oversees a network of community based group and foster boarding homes for alleged juvenile delinquents through its 54-bed Non-Secure Detention program. The Agency also supervises detention rooms in the City's Family Courts and is responsible for transporting juveniles in its custody to Family, Criminal and Supreme Courts in the five boroughs.

During fiscal year 1985, there were 3,411 admissions to DJJ facilities. Of these, 1,026 admissions (30%), were Hispanic.¹ The average length of stay for juveniles in DJJ's care is 17 days in secure detention and 19 days in non-secure detention.

¹ Information on ethnic origin is based on self-reporting by arrested juveniles.

We do not keep records on how many of the children admitted to detention are of Limited English Speaking Ability (LESA). Spofford does administer educational assessments between the 4th and 10th day of detention for children still in detention then. If a child cannot be tested in English, he or she is tested in Spanish by a bilingual certified Special Educator. Only a few children are unable to be tested in English, thus suggesting a very small fraction of our population is LESA; rarely do we have kids who can't communicate in English.

Service Delivery - Direct Service Providers ²

Spofford Juvenile Center

Children who enter Spofford Juvenile Center by court remand or who are brought there by police arrest are now processed by the Admissions Unit located in Spofford. Currently there are two Spanish speaking staff members out of a total of 15, each assigned to a different tour to assure adequate coverage. They report using Spanish frequently both with the children and/or their parents. When the two bilingual staff members are off duty, there is a shortage of Spanish speaking staff. The Department is aware of this, and is in the process of restructuring the Admissions Unit. The new Unit will be more fully staffed during peak admission hours and we will attempt to have at least one bilingual staff member on duty during each tour. Currently, other staff members are asked to help translate when the need arises in the Admissions Unit. There are no forms in either Spanish or English distributed to children upon

² The survey was conducted verbally with the various managers of the department's direct service units. Questions included how many bilingual staff work in your unit?; what languages do they speak?; is a second language used with the children?; is there a need for more bilingual services?; what plans are there for future changes?; what happens when there is a need for additional bilingual services?.

admission. The Department is currently drafting a resident's handbook outlining rules and regulations for living at Spofford. It will be in English and Spanish and distributed to youth upon their entry into Spofford.

Once admitted to SJC, children are housed in one of 12 living areas, which are divided into three units, each under the supervision of a Unit Director. The living areas are staffed 24 hours a day, 7 days a week by juvenile counselors who work in three, 8 hour shifts. Currently, there are 5 juvenile counselors on Unit I who are bilingual, 6 on Unit II and 3 on Unit III. Bilingual staff are not always available on each tour. All three Unit Directors report that Spanish is frequently used with the children and that the addition of Spanish speaking counselors on the dormitories would be desirable. We are actively seeking qualified Spanish-speaking counselors, but are restricted to hiring from a civil service list.

Children are assigned caseworkers in Spofford. If special needs arise, a caseworker with a particular skill will be assigned to a particular child. This applies to language as well. Currently, there are two Spanish speaking caseworkers out of a total assigned staff of eight. The Department has five unfilled budgeted vacancies for which we are currently recruiting.

At Spofford's on-site infirmary, where medical services are provided by contract with Montefiore Medical Center, 5 out of 20 full-time staff are fluent in Spanish. A brochure in English and Spanish describing medical services offered is distributed to all Spofford residents. (See Appendix A).

In Spofford's recreation department, which supervises recreational activities for Spofford residents, none of the eight recreation directors nor 2 per diem employees speaks a second language. The absence of bilingual staff is not a major problem, however, because recreation directors are always assisted by juvenile counselors, many of whom speak Spanish, who accompany children from their units during recreation activities. Nonetheless, the Department is eager to hire bilingual recreation directors. Spofford recently held a hiring pool from a certified civil service list but, unfortunately, no one attended. Spofford is presently attempting to hire off a new list. In the interim, personnel requests have been submitted on two per diem workers, one of whom is Hispanic. Also, notices for part-time staff have been posted with the City as well as with various City colleges in an effort to attract bilingual applicants among others with the requisite recreational skills. The Department places ads regularly in El Diario as part of its recruiting efforts.

Spofford provides a 5 1/2 hour school day for all children who stay more than 10 days, at the on-site Carter Woodson Academy. Of the 24 teachers, three are verbally fluent in Spanish and two are conversant, as are two of the school's support staff. As with other direct service staff, Spanish is used frequently with the children.

Children who are not sufficiently proficient in English are tested in Spanish in order to define their educational placement and to develop their basic educational plan.

An important part of the school's curriculum focuses on the different cultures and backgrounds of the students. In November of 1985, the school celebrated Puerto Rican Pride Month. A film series, planned in conjunction with the New York Public Library, showed several films relating to Hispanic culture and Puerto Rico. Also with the Library's assistance, a music series took place. Specially ordered records helped center classroom discussions on Puerto Rican culture, history and music. Other materials were ordered from the Puerto Rican tourist board and the maps and brochures were used as material for social studies, language arts and geography classes.

Two additional programs were offered at Spofford by ArtsConnections, through the Department of Cultural Affairs, which brought the Spanish Dance Arts Company and a lecture/demonstration by a Latin Jazz band, Bobby Sanabria and Ascension. El Diario also is provided on a daily basis to each living area for use by the residents.

Non-Secure Detention

The Non-Secure Detention Program (NSD) offers a network of community-based group and foster boarding homes for alleged juvenile delinquents. In planning educational and recreational outings, NSD staff regularly include Hispanic cultural activities; for example, NSD juveniles attended several events of the Festival Latino last summer.

To enhance planning for Hispanic residents, the NSD Resource Directory (See Appendix B) identifies both culturally relevant activities and programs with bilingual staff. In addition, NSD has obtained a variety of Hispanic cultural materials, such as calendars, magazines, games, posters and other materials appropriate for teenagers to respond to the needs of the children in the program. Finally, NSD has hired a recreation director to design and implement educational and recreational programming; Hispanic cultural activities are an essential part of this comprehensive programming effort.

Of the five foster homes the Department oversees, one is a bilingual household. At the agency-run group homes, one caseworker, one houseparent and two support staff speak Spanish. At the group homes contracted out, there are three Spanish-speaking staff. There are rarely children in the homes who speak no English. All in-house literature distributed to children as they enter NSD is in English, and at present, there appears to be no need to translate it into Spanish.

AFTERCARE

Aftercare is a voluntary program that provides post-detention services to juveniles released home to the community. Aftercare Case Managers encourage children to re-enroll and to regularly attend school, and assist these youth and their families in obtaining special services such as vocational training and family counseling.

Aftercare serves children in Brooklyn, Manhattan, Queens and the Bronx. The program currently has five Spanish-speaking staff out of a total of 23: three Case Managers, one Supervising Case Manager and one Education Specialist are bilingual. At least one bilingual Case Manager is assigned to each borough. Spanish is used regularly with participating children and their families.

The present staff is deemed sufficient to cover the bilingual needs of Aftercare children, as cases involving Spanish-speaking kids are routinely assigned to bilingual staff members.

Case Managers are able to identify Hispanic agencies servicing particular communities and providing appropriate counseling and guidance services to their clients. In this way, bilingual services are matched directly with the client who requires them, rather than having to go through a translator. A recent example concerns a child who had just arrived from Puerto Rico who spoke no English. After his release back to the community, he agreed to participate in the Aftercare program. The Case Manager was able to refer him to an Educational Specialist in his community, who saw that he enrolled, and attended, a special bilingual school program.

Aftercare uses three standard forms to enroll a child in the program: a medical consent form, a service agreement form and a parental consent form.

All of these are available in Spanish (see appendix C). A brochure is being developed describing the program, one for parents and one to be distributed to children while in detention. Both the English and Spanish versions are in production.

Other Areas

Of the total agency workforce of 652 employees, 14%, or 89, are Hispanic - 9% are men, and 5% are women. There is a total of 25 managers throughout the department, one of whom is Hispanic (see Appendix D).

The Agency's Advisory Board consists of eleven members. There are currently three vacancies which the Department is in the process of filling. One of the occupied eight positions is filled by a Hispanic man.

There have been no lawsuits or complaints against the agency involving Hispanic issues over the last year, nor are any outstanding.

The agency does not offer differentials for employees with second language skills, nor do any separate job categories exist for bilingual employees.

SUMMARY AND RECOMMENDATIONS

Bilingual services are available to those DJJ children who require them. Our most pressing need for bilingual staff is in Admissions, where

children are first processed before entering the facility. Bilingual staff are usually available at this crucial entry point to assist children and their families who are Spanish-speaking. The Department realizes the need for bilingual staff in the Admissions Unit and expects to fully meet this need in the future. The school at Spofford is also equipped to provide such bilingual services when a non-English speaking student needs them. The agency has hired bilingual caseworkers to help Spanish-speaking families of the children in its care.

In preparing this report, we have paid particular attention to the gaps in our program. As opportunities arise in the future in redeveloping our program, we expect to take them into consideration in redesigning services. The agency is committed to recruiting and hiring qualified staff to meet the needs of children in detention, and paying particular attention to recruiting bilingual staff.

The Department does not provide any special or additional training in bilingual skills. Staff members, such as bilingual Aftercare Case Managers, bring bilingual skills to their jobs, and thus are able to meet their clients' needs. In most cases, bilingual staff members help translate for their co-workers, both in talking to children and in the preparation of Spanish language documents.

APPENDIX 3-13

Submission by:

DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND
ALCOHOLISM SERVICES

Attached report, plus:

- Department organizational chart
- Patient Characteristics 1981 - 1984
- List of provider agencies serving significant number of
Hispanic clients
- Translations from contract agencies



SARA L. KELLERMANN, M.D.
COMMISSIONER

DEPARTMENT OF MENTAL HEALTH
MENTAL RETARDATION AND ALCOHOLISM SERVICES
93 WORTH STREET
NEW YORK, N. Y. 10013
TEL. 566-4830

April 25, 1986

TO: Mr. Dennis deLeon
Executive Director
Mayor's Commission on Hispanic Concerns

FROM: Sara L. Kellermann, M.D.
Commissioner *SK*

SUBJECT: Materials for the Mayor's Commission on Hispanic
Concerns

As requested, the following information has been prepared to describe the delivery of mental health, mental retardation and alcoholism services to Hispanic clients, including language related issues. The material is organized to respond to the outline of suggested topics provided by the Mayor's Commission on Hispanic concerns.

I. Services: Administrative Overview

The New York City Department of Mental Health, Mental Retardation and Alcoholism Services Department of Mental Health, Mental Retardation & Alcoholism Services (DMH,MR&AS) is responsible, under the City Charter and the State Mental Hygiene Law, for the planning, contracting, monitoring and evaluation of all local mental hygiene services.

The Department currently administers mental hygiene programs through 270 contracts with 147 voluntary agencies and hospitals, 14 Health and Hospital Corporation facilities, the correctional system, City emergency shelters and the Family and Criminal Courts.

The network of services directly funded and monitored through the Department provides care to more than 420,000 disabled persons each year. Target populations include emotionally disturbed children and youth, the mentally retarded and developmentally disabled, the acutely mentally ill, alcoholics, court and prison

referred persons in need of psychiatric services, the elderly mentally ill and the mentally disabled homeless. An illustration of the network of services administered by the Department is provided as Attachment I.

Patient Characteristics

In November 1981, the New York State Office of Mental Health (SOMH), in cooperation with Local Governmental Units, including the Department, conducted the first comprehensive survey of the mental health system, State wide. The one week survey covered the entire mental health service system that is operated, certified and/or funded by the State Office of Mental Health, including New York City. Subsequent surveys were also conducted in 1982 and 1984.

The following is a summary of Hispanic persons receiving mental health services in New York City:

- Based on the 1980 census, approximately 19.9% of New York City's population are Hispanic.
- Based on the patient characteristics of clients receiving services at all mental health facilities located in New York City, during the 1981 survey, 17.3% of the clients serviced were Hispanic. For the 1982 and 1984 surveys, the percentage of Hispanic clients increased to 19.4% and 20.4% respectively.
- Within local facilities receiving funding from the State Office of Mental Health (the majority of which are administered by the Department), there are a higher proportion of Hispanic patients receiving services. During the 1981 survey, approximately 18.1% of the patients serviced were Hispanic, as compared to 17.3% previously noted for all facilities. In 1982 and 1984, the percentages increased to 22% (as compared to 19.4%) and 22.1% (as compared to 20.5%).
- From the standpoint of borough comparisons, for local facilities, the Bronx had the highest proportion of Hispanic patients followed by Manhattan and Brooklyn. The percentages of Hispanic patients served in Queens and Staten Island were much lower.
- Finally, in 1981, a detailed study of the patients served by Community Mental Health Centers and government hospitals (which includes the NYC Health and Hospitals Corporation) indicated that 22.2% of the patients receiving services were Hispanic. The distribution could be assumed to be similar for subsequent years.

In the Alcoholism Service Sector, similar surveys indicate slightly higher percentages of Hispanic patients, 21.1% in 1983 and 21.9% in 1984.

Detailed data tables are provided as Attachments II A-H. Additional information on the basis of smaller planning areas has also been requested from the State Office of Mental Health.

II. Service Delivery

Of the 147 voluntary agencies and 14 municipal hospitals currently receiving funding from DMH,MR&AS, approximately eighty (80), or 50%; provide services to a significant proportion (30% or more) of persons who are Hispanic. A listing of these facilities by disability area and borough is provided as Attachment III. The specific details regarding the psychiatric services for Hispanic patients in the NYC Health and Hospitals Corporation facilities are being submitted separately by the NYC Health and Hospitals Corporation's Office of Mental Hygiene Services.

During the past several years, the Department has, where possible, expanded services to minority communities on a priority basis. Hence, the Department's funding of services to minority populations increased markedly from FY 1981 to FY 1984. Specifically, in FY 1981, the Department provided \$15.1 million to agencies serving minority populations, including Hispanics. In FY 1984, the Department provided \$23.9 million to minority service agencies, an increase of \$8.8 million, or 58.3%, over the prior three year period.

The Department has also provided additional funding for Community Mental Health Centers and psychiatric services in the NYC Health and Hospitals Corporation. As previously noted (see Patient Characteristics), these two mental health sectors serve a high proportion of Hispanic persons.

In community mental health centers, since FY 1982, \$6.2 million in additional funding has been provided to offset Federal grant declines. In the NYC Health and Hospitals Corporation, additional funding has also been provided for the expansion of acute psychiatric inpatient beds, as well as for enhancement of services in psychiatric emergency rooms.

In the voluntary sector, the Department has provided significant levels of funding over the past two years to establish and/or expand programs that serve Hispanic clients. In FY 1985, the Department provided \$1,384,000 for such services in existing mental health contracts, newly established on-site school mental health programs, Community Support Systems (CSS) programs for the

chronically mentally ill, a City-wide program for the learning disabled, and an alcoholism service demonstration program previously funded by the State Division of Alcoholism and Alcohol Abuse. Specifically, these programs include:

MENTAL HEALTH

- Hunts Point Multi-Service Center (Bronx) Service enhancement	\$30,000
- Puerto Rican Family Institute (Bronx) Restructuring of salary scale	\$50,000
- Bronx Lebanon/Croton Park CMHC (Bronx) On-Site School Program (District 8)	\$157,000
- South Bronx Mental Health Council (Bronx) On-Site School Program (District 8)	\$187,000
- Fordham Tremont CMHC (Bronx) On-Site School Program (District 10)	\$150,000
- Fordham Tremont CMHC (Bronx) CSS funded psycho-social club	\$250,000
- Presbyterian Hospital (Manhattan) Newly funded Hispanic Clinic	\$50,000
- Presbyterian Hospital (Manhattan) On-Site School Program (District 6)	\$200,000
- Puerto Rican Family Institute (Manhattan) Restructuring of salary scale	\$50,000
- Education Alliance (Manhattan) On-Site School Program (District 1)	\$112,000

Mental Retardation

- New York Association for Learning Disabled (City wide) - Information/ referral hotline for learning disabled includes a bi-lingual worker for Hispanic clients	\$41,000
--	----------

Alcoholism Services

- The Department assumed funding responsibility for an Alcoholism Services Demonstration Program (ASDP) serving School District 24 (Queens) \$107,000

In the current fiscal year, the Department has continued efforts to provide services for minority communities, including several programs targeted to the Hispanic community. The Department has assumed contract responsibilities for several minority demonstration programs previously funded directly by the State Office of Mental Health. Those programs serving Hispanic clients include:

- Fordham Tremont CMHC \$183,200
Minority Demonstration Project COPA
- Gouverneur Hospital/Roberto Clement \$232,500
Guidance Center
- Children's Aid Society \$99,600
Hispanic Family Demonstration Project

In addition, the Department provided \$175,000 for a new Hispanic clinic in the Bushwick - Williamsburg area of Brooklyn under the sponsorship of the Puerto Rican Family Institute and also provided \$200,000 for the East Harlem Consultation Services, a program whose State funding had terminated.

As part of the Department's efforts to enhance crisis intervention services throughout the City, the Department is implementing mobile crisis management services in each of the five boroughs this Spring. In meetings and negotiations with provider agencies, recruitment of bi-lingual and multi-lingual staff has been emphasized.

From the standpoint of contract administration and monitoring, several mechanisms are utilized regarding the appropriateness of service delivery for minority communities. All contract agencies must submit information required by the City's Bureau of Labor Services (BLS) concerning the ethnic composition of the personnel of all contract agencies. Should a problem exist with regard to the submission of this material or unsatisfactory staffing ratios, the contract cannot be submitted for consideration to the Board of Estimate.

The Department also performs a review of the services provided by contract agencies in comparison to a provider's target population. Within the Department, the Office of Program Review & Evaluation performs comprehensive on-site evaluations of DMH, MR&AS funded programs. These comprehensive evaluations focus on all areas of program administration and clinical operations. Prior to performing the evaluation, data is collected on the socio-economic profile of an agency's service area. During the actual site visit, data on the ethnicity of clients receiving services is collected through a sample of case records. The ethnicity of agency clinical staff is also collected during the administrative interview. If the client population differs significantly from the characteristics of the service area and/or the clinical staff, the findings are reported in the evaluation report.

III. Limited English Speaking Ability (L.E.S.A.)

Given the administrative role of the Department of Mental Health, Mental Retardation and Alcoholism Services and the limited public contact, with the exception of the Information and Referral Service and the newly established Community Assistance & Training Unit (CATU), the need for additional bi-lingual staff in the Department has not been critical. However, the Department will be conducting a survey of all personnel in the agency for purposes of developing a comprehensive language bank for future reference. In addition, the newly established Community Assistance and Training Unit, which will have more direct public contact, will include a managerial level bi-lingual director.

IV. Hispanic Representation

Based on a cumulative Equal Employment Opportunity workforce analysis conducted through March 31, 1986, (Attachment IV), out of a total of 366 staff within the Department, 197, or 54 percent, are minority, of which 42, or 11 percent, are Hispanic.

A further analysis by personnel category indicates that of a total of 36 Official & Administrators 10, or 28 percent, are minority, of which 3, or 8 percent, are Hispanic. Within the category of Professionals of a total of 179 staff, 39 percent, or 59 are minority, of which 14, or 8 percent, are Hispanic. For the remaining categories which include Para-professionals, Office & Clericals, and Service Maintenance, of a total of 151 staff, 118, or 78 percent, are minority, of which 25, or 17 percent, are Hispanic.

During the past several years, the Department has made significant efforts to recruit Hispanic staff. In 1980, there were a total of 19 Hispanic staff or 8 percent of the Department's staffing. Of the 19 Hispanics there were a total of 6 in managerial and professional positions. In 1986, the total number of Hispanics has increased to 40 positions, or 11% of the Department's total staffing. Within the 40 positions, 16 staff currently hold managerial and professional positions.

In addition, there currently exist three vacancies on the New York City Community Services Board (CSB), which consists of fifteen members who are appointed by the Mayor. The Department is assisting in the recruitment of Hispanic candidates for consideration as CSB members.

V. Lawsuits/Complaints

There are no outstanding or recently settled (1 year) law suits/complaints against the Department involving Hispanic issues.

VI. Labor/Job Categories

Within the Department there are no separate job categories for workers using/requiring language skills. From the standpoint of other City agencies, consideration should be given to reinstituting civil service titles/positions for translator in those agencies where appropriate.

In regard to the contract agencies funded by the Department, as previously indicated, there are a number of DMH,MR&AS contract agencies with programs serving high percentages of Hispanic Clients. Data on the percentages of Hispanic clinical staff employed by these agencies is currently being collected.

In general, there is a shortage of qualified bi-lingual clinical mental health staff. This shortage has resulted in a competitive atmosphere among provider agencies and other service sectors, particularly the school system, regarding the recruitment and retention of bi-lingual staff. As previously noted, the Department has provided additional funding to several contract providers to enable them to maintain competitive salary structures.

The Department has also obtained a significant amount of bi-lingual literature from contract agencies. Sample copies have been included in Attachment V. Additional material is available if needed.

VII. Coordination

The Department exercises its responsibilities for needs assessment and planning through the annual local governmental planning process, as well as undertaking other special planning projects. The Department collaborates with the Federation of Mental Health, Mental Retardation and Alcoholism Services, an advisory body of consumers and providers, in assessing needs, identifying priorities and reviewing certificate-of-need applications.

Many agencies funded by the Department, including those serving Hispanic clients, utilize Public Service Announcements to provide information about their services. In addition, the Department is planning to prepare a directory of Hispanic mental health services.

In summary, it is hoped that this material will be useful to the Commission in conducting its initial agency review. The Department looks forward to cooperating with the Commission over the next several months. If there are any questions concerning this matter, please feel free to contact me.

SLK/dp

cc: Honorable Stanley Brezenoff
Honorable Victor Botnick
Dr. Lloyd H. Rogler
Ms. Rosemarie Maldonado

..

APPENDIX 3-14

Submission by:

DEPARTMENT OF PARKS AND RECREATION

Attached report, plus:

- definition of "Hispanic" Community Districts

**CITY OF NEW YORK
PARKS & RECREATION**



**REPORT TO THE MAYOR'S COMMISSION ON HISPANIC CONCERNS
August 7, 1986**

Prepared by:

**Iris N. Rodriguez
Director of Community Boards**

with

**Jack T. Linn
Assistant Commissioner for Government Relations**

and

**James E. Berg
Administrative Assistant**

**Edward I. Koch
Mayor**

**Henry J. Stern
Commissioner**

490

TABLE OF CONTENTS

	<u>SUBJECT</u>	<u>PAGE NUMBER</u>
A	INTRODUCTION	1
B	FACILITIES	2
C	RECREATIONAL SERVICES	3
D	SPECIAL EVENTS	5
E	EMPLOYMENT	6
F	CONCESSIONS AND CONTRACTS	8
G	RECENT AND PLANNED IMPROVEMENTS	9
H	APPENDIX	10

INTRODUCTION

New York City's parks, covering 26,138 acres, more than thirteen percent of the land area in the city, comprise one of the largest and most complex urban park systems in the country.

The Department of Parks & Recreation is responsible for maintaining and operating 572 parks, 900 playgrounds, 350 malls, squares and triangles, 44 indoor and outdoor swimming pools and 33 minipools, 709 playing fields for baseball, softball, and soccer, 535 tennis courts, 13 golf courses, 3 zoos, nearly 15 miles of beachfront, 7 ice rinks, 4 major stadia, and 2.6 million trees. With a full-time staff of nearly 5,000, which during the warm weather season increases by more than 50%, the Department provides a wide range of facilities and programs to the City's eight million residents.

Parks have not always received so much attention. At first, they appeared only in areas that were not suitable for building. What is now Central Park was originally part of a desolate, marshy area avoided by developers. After 1858, when Olmsted and Vaux began constructing the park, the surrounding area began to develop. Planners soon recognized the importance of parks and designed large parks in every borough.

The success of the great parks inspired the creation of small parks and playgrounds in areas that were already highly developed. In 1897, the Small Parks Advisory Board proposed that the City build more playgrounds on streets crowded with tenements. During the 1930's, Robert Moses was able to realize many of the ideas of the Advisory Board. He built playgrounds, parks, pools, and recreation centers in crowded neighborhoods throughout the city. After World War II, large numbers of Hispanic immigrants settled in these neighborhoods.

As a result, many of our parks now serve predominantly Hispanic communities in New York City. This report will discuss the services and programs that Parks & Recreation offers to the Hispanics who, according to the 1980 Census, make up 20% of the City's population.

FACILITIES

Parks

Each of the five boroughs contains one or more large, centrally located, "flagship" parks that are accessible to all New Yorkers via public transportation, including: Central Park in Manhattan; Bronx, Pelham Bay, and Van Cortlandt Parks in The Bronx; Prospect Park in Brooklyn; Flushing Meadows-Corona Park in Queens; and the Greenbelt in Staten Island.

Most of our facilities, however, are small parks and playgrounds. Of these, 31% are located in "Hispanic Community Districts." (See Appendix.) The parks in these districts serve a roughly proportionate 28% of the City's total population.

Recreation Centers

Presently, there are 16 Recreation Centers in the City, containing facilities for exercise, entertainment and education. Twenty-five percent of these Centers are in Hispanic Districts.

Pools

We estimate that nearly one million people use the City's 44 pools and 33 mini-pools every year. Thirty-nine percent of the pools and 30% of the mini-pools are located in Hispanic areas. Currently, entry to all the pools is free, though nominal fees, 50 cents for adults and 10 cents for children, have at times been charged at some of the 11 Olympic-sized pools to help control usage. These pools provide a variety of services and activities. Some of the pools are indoors and operate during the winter.

Beaches

More than 200 million visits are made to the City's six beaches every season. All of the beaches are easily accessible by public transportation.

It is impossible to provide exact figures on the number of Hispanics who use the beaches. However, the majority of users at Orchard Beach in the Bronx are clearly Hispanic. Coney Island Beach and Manhattan Beach in Brooklyn are also heavily used by Hispanics.

RECREATIONAL SERVICES

Virtually all of the recreational services provided by Parks & Recreation take place on park property, so the distribution of our facilities largely determines the distribution of our services and the kinds of people served. The following special recreational programs are offered at various sites throughout the City and serve particular neighborhoods:

Pre-School Program

The Parks Department has conducted pre-school programs at recreation centers and park houses throughout the city for more than 41 years. This year, 1175 children are registered in the program, and 32% of them are Hispanic.

Urban Day Camps Program

This program operates during July and August and offers a variety of activities, including arts and crafts, sports, swimming, music, drama and field trips. Of the 2047 children registered in the program, 27% are Hispanic.

Learn-To-Swim Program

People of all ages participate in this program at 14 City pools. It is divided into sections to accommodate various levels of skill. An estimated 35% of its participants are Hispanic.

The recreational programs listed below serve special populations rather than specific neighborhoods:

The REACH Program

This program serves disabled children and adults with a variety of activities, including arts and crafts, drama, music, life-skills training, photography, and fitness classes. REACH operates one program center in each borough. Thirty-nine percent of the 330 clients currently registered at these centers are Hispanic.

Cities-in-Schools

The Cities-in-Schools program currently serves more than 800 students during each school year. It is sponsored by Parks & Recreation, the Department of Social Services and the Board of Education. The program's goal is to increase school attendance among youngsters who are truant or at risk of dropping out of school. Twenty-four teams, consisting of Recreation Division staff members and case workers from Social Services, work with students who have high absentee rates, low reading scores and behavior and family problems. Of the 260 youths participating in the program this Spring, 57% percent were Hispanic.

Homeless Program

The Parks Department provides swimming, dance, art, volleyball, and basketball programs for youngsters between the the ages of 7 and 19 who live in city shelters. Nineteen percent of the 779 children currently registered in the program are Hispanic.

Kids-On-Stage

Last summer we introduced this program to give children between the ages of seven and seventeen with special talents a chance to sing, dance, and act. Interested children audition for positions with their borough's troupe. The participants learn professional acting techniques and perform for enthusiastic audiences. Of the 90 children now registered in Kids-On-Stage, 12% are Hispanic.

SPECIAL EVENTS

Parks & Recreation's Special Events Office is the liaison between the Department and private sponsors who wish to hold major events in the City's parks. The Special Events Office supervises the scheduling and organization of these events. It also coordinates the efforts of sponsors and other city agencies, such as the Fire Department, the Police Department, the Department of Sanitation, and the Department of Transportation, to ensure that the events are safe and enjoyable.

The Special Events Office provides assistance for several large Hispanic events every year. It helps prepare for the large crowds of spectators who attend the Puerto Rican Day Parade, which travels up Fifth Avenue alongside Central Park, and the Dominican Day Parade, which travels up Sixth Avenue and disperses on Central Park South. The Parks Department also hosts such major events as the San Juan Fiesta, the Fiesta Folklorica, and the Ecuadorian, Cuban, and Columbian Day Celebrations. In addition, each Borough Office issues permits for a variety of smaller events that are sponsored by Hispanic organizations.

EMPLOYMENT

The New York City Human Rights Commission estimates that sixteen percent of the available work force in the City is Hispanic. The following figures show the number and percentage of Hispanics employed by Parks & Recreation, both by job category and in total as of June, 1986:

<u>CATEGORY</u>	<u>TOTAL STAFF</u>	<u>HISPANIC STAFF</u>	<u>% OF TOTAL</u>
Official/Admin.	426	14	3.3
Professionals	374	10	2.7
Technicians	248	38	15.3
Para-Professional	96	18	18.8
Office/Clerical	260	33	12.7
Skilled Crafts	356	21	5.9
Service/Maintenance	<u>2,920</u>	<u>445</u>	<u>15.2</u>
Grand Totals	4,680	579	12.4

In Fiscal Year 1985, Parks & Recreation also hired 2475 seasonal employees, 11.3% of whom were Hispanic.

In the past, we have had difficulty finding qualified Hispanics who were interested in available positions, but recently our efforts have been more successful. From June, 1985 to June, 1986 the proportion of Hispanics in our full-time work force increased from 11.3% to 12.4%.

In addition, we are trying to assign Hispanic workers where they can be most useful to Hispanic residents. This eliminates cultural and linguistic barriers and allows us to be more responsive to Hispanic concerns. The following chart shows the percentages of Hispanic field workers assigned to the substantially Hispanic Community Districts in each borough:

<u>Borough</u>	<u>% of Hispanic field workers in Community Districts which are at least 30% Hispanic</u>
Brooklyn	14.0%
Bronx	26.0%
Manhattan	56.6%
Queens	14.2%

The representation of Hispanics in the Office/Clerical, Technical, and Para-Professional categories in our offices allows us to call upon bilingual members of our staff to assist Spanish-speaking members of the public who make inquiries in person or by phone.

CONCESSIONS AND CONTRACTS

Parks concessions are a significant source of revenue for the City. When concessionaires are needed, the agency publishes Requests for Proposals. We make every effort to select the most competitive and qualified operators for our concessions. Of the 144 individual concessionaires who have contracts with Parks, 30, about 20%, are Hispanic. In addition, we have contracts with 122 corporations, two of which are run by Hispanics and five of which employ large numbers of Hispanics.

We also encourage minority construction contractors to seek work on our capital projects. We offer them seminars in how to bid on jobs, and we keep them informed of the opportunities for bidding. The following is a list of organizations we work with to find minority contractors:

- New York Council of Minority Builders, Inc. (Metro)
- Association of Minority Enterprises of New York (AMENY)
- Southeast Queens Contractors Association
- Westchester Minority Contractors Association
- National Association of Minority Contractors
- Fight Back Association, Manhattan
- Minority Contractors Assistance Program (NAACP)

Whenever we learn of new organizations that can assist our efforts, we add them to this list.

In 1982, Frank Hunt, our Director of Contract Management, won an award from the Fund for the City of New York for his success in helping minority contractors get more work at the Parks Department.

RECENT AND PLANNED IMPROVEMENTS

The Parks Department has initiated a number of efforts to improve our services to the Hispanic community:

1. We have started a massive effort to improve park property. As part of the City's Ten-Year Capital Plan, we will rebuild all of our neighborhood parks and playgrounds. Over the shorter term, our Neighborhood Park Restoration Program (NPR) offers more modest but more immediate results using in-house forces. Of the 380 facilities already restored under NPR during the program's first two years, 32% are in Hispanic Community Districts.

2. We are also developing new parks. Early this year, ground-breaking ceremonies took place in the South Bronx for a new park on Kelly Street, which will be the largest new park built during the Koch Administration. It will serve a Community District which is 74% Hispanic, the highest percentage of any District in the City.

3. The Parks Department is improving communication with the City's Hispanic residents by establishing closer ties to the Hispanic media. As part of this effort, we now make public service announcements on a weekly basis on WADO Radio, which broadcasts to a Spanish-speaking audience. These announcements provide information on our services and programs and help us to recruit volunteers and candidates for employment. Several of our broadcasts have taken place on location at Parks facilities.

4. We are increasing our participation in events that are important to the Hispanic community. Representatives from Parks attended the Minority and Women-Owned Business Contract and Procurement Conference earlier this year and the Immigrants Conference as well. This summer, for the first time, we participated in the Hispanic World's Fair, by creating the Hispanic World's Fair Park on the convention floor of the Javits Center. The Park was well attended and well received. It provided information on a variety of our programs and facilities.

5. In the area of employment, we intend to establish closer relations with Hispanic organizations, particularly on college campuses, to attract qualified Hispanic job applicants.

6. Finally, we are encouraging our own staff to organize a Hispanic Society for Parks workers, so that members can assist each other with career development. The Society will also serve within the Department as an advisory body on Hispanic concerns for the benefit of both employees and the public.

APPENDIX 3-15

Submission by:

POLICE DEPARTMENT

Attached summary and memo, plus:

- Detailed report from each bureau

NEW YORK CITY POLICE DEPARTMENT

SUMMARY OF DEPARTMENT RESPONSES TO A SURVEY

CONDUCTED FOR THE

MAYOR'S COMMISSION ON HISPANIC CONCERNS

MAY, 1986

TABLE OF CONTENTS

OFFICE OF MANAGEMENT ANALYSIS AND PLANNING.....	1
PERSONNEL BUREAU.....	3
COMMUNITY AFFAIRS.....	5
CIVILIAN COMPLAINT REVIEW BOARD.....	7
PUBLIC INFORMATION.....	9
EQUAL EMPLOYMENT OPPORTUNITY.....	10
PATROL SERVICES BUREAU.....	12
DETECTIVE BUREAU.....	14
ORGANIZED CRIME CONTROL BUREAU.....	15
SUPPORT SERVICES BUREAU.....	16
COMMUNICATIONS DIVISION.....	18
LEGAL MATTERS.....	19

OFFICE OF MANAGEMENT ANALYSIS AND PLANNING

This office, in conjunction with the New York City Department of City Planning, produced a book entitled The 1980 Census Data By Precinct. Since the data in the Census Book is based on the 1980 census "long-form" questionnaire which resulted in the use of a 17% sampling, totals for police precincts may differ from figures based on actual count. This book reflects the Hispanic population (and other demographic data) for every New York City Patrol Precinct. It is available upon request to interested individuals, institutions, and associations.

Similarly, this office produced all the Operation Orders, Interim Orders, and other procedures regarding the availability of interpreters to prisoners, complainants, witnesses, etc. Should communication become difficult, these procedures guide the patrol officer regarding communication problems when investigating a complaint, affecting an arrest, or arraigning a prisoner. These orders also include direction for the distribution of Spanish language pamphlets, circulars, and posters which offer information on court procedure, home and personal protection, and instruction for filling out necessary forms.

The Police Department also publishes a Department Bulletin for the benefit of its employees. This bulletin announces various events directed toward Hispanic members of the Department regarding the Hispanic Society's social functions, scholarships, etc.

An inquiry at the Personnel Data Unit reveals that our Department contains a total of 2192 members who can be used as Spanish interpreters. This number demonstrates the Department's ability to provide bilingual service when required.

PERSONNEL BUREAU

Training

The culture and customs of the Hispanic community are addressed extensively within the curriculum of the Police Academy. The Academy's focus is directed toward two levels of training. At the first level of training, the entry level, the recruits social science student guide has devoted a large section to the Hispanic community. Both Puerto Rican and South American cultures are examined. Recruits study histories, customs, holidays, festivals, beliefs, religions, and status (political, economic, and social) of these Hispanic cultures.

Through lectures and assigned oral presentations, the student officers share with their fellow officers the ethnicity of the Hispanic community. The curriculum provides an in depth study in both scope and methodology including not only library research, and group discussions, but also field trips, and food samplings.

The Executive Development Program also provides opportunities for high ranking members of the Department to study Hispanic culture in a comparative and analytical manner. Executive Development courses enable the executive officer to compare and contrast the political, economic, and social backgrounds of the various nationalities that form the Hispanic Community in New York City.

Courses are designed to make the executive officer aware of the misconception of the Hispanic Community as a homogeneous one and discuss how this common misconception impacts negatively on the services delivered. Much attention is given to the differences (political, economic, and social) as well as the similarities among Hispanics.

Recruitment/Retention

The Recruitment Retention Section's personnel resources reflect a Hispanic representation of 27%. These officers are cognizant of concerns of the Hispanic community, and whenever possible they exercise their expertise at "Career Days" in high schools and other institutions with large Hispanic student bodies. This tactic, better enables the students to interact with officers and thereby overcome prejudicial attitudes toward the Police Department.

Recently the Department created a new program designed with the expressed purpose of presenting a favorable police image to students. An Hispanic officer from the Recruitment Retention Section is assigned regularly to visit students during their classroom sessions. The officer answers questions about the Department, attempting to establish rapport, change attitudes, and prepare those interested in a career in policing.

COMMUNITY AFFAIRS

Hispanic Liaison/New Immigrant Unit

This particular problems and concerns of the Hispanic community are addressed by the Hispanic Liaison/New Immigrant Unit. This Unit maintains a working liaison between our Department and the Hispanic political structure and community based organizations.

It assists the Hispanic community in requests for assistance from community leaders, groups and organizations, and individuals. These requests may range from a need for basic program information or organizational assistance to press information.

The method most employed by the Unit to disseminate information regarding available Police Department services is the media, specifically the Hispanic language media. Television, radio, and the Spanish language newspapers are all utilized to promote community awareness of the Department's function and participation in relevant programs.

The Unit has received and acted upon numerous complaints, as well as valuable intelligence information, and directed a profusion of assistance calls to the appropriate agencies.

The Unit also provides printed material in the Spanish language. The material is developed by the Police Department and runs the gamut from policing to non-policing concerns. This literature includes such topics as the protection of the family, block watcher organizations and assistance provided by the New York Association for New Americans (NYANA).

CIVILIAN COMPLAINT REVIEW BOARD

The Civilian Complaint Review Board is aware of and sensitive to the needs of the New York City's Hispanic Community.

The Board is committed to the maintenance of a representative ethnic balance among its personnel. Two of the nine members of the Board (the Chairman and one other) come from Hispanic backgrounds, and twelve members of the operating staff are similarly of Hispanic extraction. The number of Hispanics among the Board's investigative and support personnel, as well as its recruitment effort reflect it's commitment to fair representation.

To facilitate the function of the Board and to build and maintain a close rapport with the Hispanic community, the Department created a satellite program. Of the five borough satellite offices, two are located within predominantly Hispanic areas of the City.

In an effort to extend bilingual services to the Hispanic sector of the community, the CCRB established a procedure to insure prompt and efficient service for non-English calls received. When a non-English speaking person calls to register a complaint, he or she is immediately tape recorded, and the Duty Captain is notified to obtain an interpreter. If necessary, a Spanish speaking investigator will be called at his home to contact the caller. A non-English speaking caller is never instructed to "call back in the morning" or call back at a later date".

CCRB personnel continually visit all community boards within the City. The purpose is to make these boards aware of the CCRB function and to distribute informational literature offered in both English and Spanish.

CCRB's regular staff training is designed to reenforce its mission. To that end, the staff is made particularly conscious of and responsive to minority group individuals.

PUBLIC INFORMATION

There are 26 personnel assigned to this command and of them three persons have Hispanic backgrounds and are bilingual.

The function of the Public Information Division is to provide access to the members of the media. This service is maintained on a 24 hour a day, seven days a week basis. Both the major media organizations and minority (Hispanic) media organizations utilize this service by maintaining liaison either by telephone or personal contact.

The Department provides a Press Room to facilitate notification of and equal access to newsworthy events. We also provide office space for the press including "El Diario", "Noticia Del Cumdo", and other Hispanic publications. This division also maintains a mailbox to insure the distribution of police related information of interest to the media. The division maintains a policy of equality for all news media and achieves this by providing immediate telephone notification of a fast breaking news story to the Press Room via a hot line and immediate release to the wire services (AP, UPI). It monitors police related news articles in publications including the Spanish language publications, and accommodates whenever possible, requests for interviews from local, out of state, and foreign media.

EQUAL EMPLOYMENT OPPORTUNITY

The Deputy Commissioner Equal Employment Opportunity maintains the demographic statistics of the Department's personnel. This resource data indicates that in 1980, the Hispanic representation within the Police Department was 6.0% of the total workforce. The year 1985 however, shows an increase in the Hispanic representation to 9.7%.

All Police Department commands were surveyed by the Office of Equal Employment Opportunity to determine Hispanic supervisory and line representation. It can be seen that officers of Hispanic extraction have consciously been distributed among all "Public Contact" command. The critical and sensitive Community Affairs Division for example, exhibits (by its assignment of Hispanic personnel of all ranks) the Department's awareness for the concerns of the Hispanic community. The Office of Equal Employment Opportunity reports an Hispanic representation of 33% of its staffing.

The Office of Equal Employment Opportunity publishes its own bulletin describing its function, the programs it initiates, and information it deems essential to its mission. It also distributes various pamphlets and posters published by the Police Department (i.e. Got a Beef? Sexual Harassment in the Work Place, Equal Employment Opportunity Police Statement) and those published by other City and Federal agencies (i.e. E.E.O.'s Title VII, Equal Employment Opportunity is the Law).

The office makes available a list of Federal, State and City agencies which investigate discrimination complaints to those individuals requiring them. Similarly, it produces a flow chart showing the stages through which an equal employment opportunity complaint proceeds.

PATROL SERVICES BUREAU

Survey questions were distributed to the Department's 75 precincts for their individual responses.

The services available include the assignment of bilingual officers (both supervisory and line) to the patrol function and various specialty units within each command (i.e. Community Affairs, Youth, Truant, Conditions, Anticrime, TOPAC, CPOP, SNEU, NSU, Latent Print Teams, etc.)

Hispanic civilian personnel are similarly designated to critical and sensitive assignments within each command. They fill such staff positions as telephone switchboard operators and serve clerical and receptionist functions.

The Department has created "bilingual" pamphlets, flyers, posters, and displays. Most Police Department pamphlets are available in their entirety in Spanish (i.e. Children Beware, Protect Your valuables) and flyers, posters, and displays offer the Spanish language on the reverse side or underneath the written English word (i.e. Operation Pressure Point, Be a Drug Buster, Battered Women, How to Secure Help, How to Prevent Rape, Household Security, etc.)

The precincts containing a Hispanic community consistently described many innovative programs to serve this population. In addition to the Community Affairs and Community Patrol Officers Programs and their attendant functions, these commands report such programs as Senior Citizen Escort, Crime Prevention Workshops, Career Days (high school), Block Watcher/Tenant/Community Patrols and Merchant Security groups.

DETECTIVE BUREAU

The Detective Bureau Personnel Officer is Hispanic, fluent in Spanish and holds the rank of lieutenant. It is this officer's responsibility to recommend the assignment of bilingual detectives to the areas of most need. Of the 124 detectives fluent in Spanish, 52 are assigned to the borough commands (PDUs) and 72 are assigned to special detective units (i.e. Hostage Negotiating Team, Central Robbery, Arson and Explosion, Scientific Research Division and Sex Related Crimes).

Virtually all publications intended to increase public awareness and cooperation are offered in the Spanish language. (e.g. Catch Unit direction, Missing Persons Squad Notifications, Crime Stoppers "Tips" posters, pamphlets and cards, etc.)

The Department regularly reaches out to the Hispanic media to publicize programs and procedures of the Detective Bureau. The media has frequently published "Hot Line" telephone numbers at the Bureau's request when assistance was required from the Hispanic community. Recently, an Hispanic police officer was assigned to the Sex Crimes Liaison Unit. Her function is to lecture at schools and colleges and provide public announcements for the Hispanic media.

ORGANIZED CRIME CONTROL BUREAU

The Organized Crime Control Bureau has 109 investigators (13%) and 13 supervisors (6%) that have Hispanic backgrounds. These personnel are assigned throughout the various units with particular emphasis to those areas with Hispanic populations and are available 24 hours a day.

The Special Projects Unit of the Narcotics Division provides speakers and demonstrations concerning drug abuse to Community Boards and other interested groups whenever they request it. Spanish speaking personnel participate in these lectures (i.e. the School Program to Education and Control Drug Abuse).

Bilingual services are also available on a 24 hour a day, seven days a week basis through the Field Operations Desk. The Field Operations Desk receives complaints directly from the general public or through referrals from precinct commands regarding public morals, narcotics, etc.

Although we now have adequate bilingual services a centralized language office to handle complaints requiring a translator would be beneficial. This office would refer the complaint as well as the complainant to the appropriate City department.

SUPPORT SERVICES BUREAU

The Public Inquiry Report Section is the only section within the Central Records Division that routinely deals with the public. Their functions include issuing Good Conduct Certificates, taking non-criminal fingerprints, accepting requests under the Freedom of Information Act, and registering Secondhand Dealers. The publications describing the procedures for processing Good Conduct Certificates, fingerprint cards, and information are offered in both English and Spanish.

To cover any other requests under the jurisdiction of this section by those who are non-English speaking, the Public Inquiry Section has five persons on its staff who speak and write Spanish.

The Property Clerk Division also deals more directly with the public. When a Police Auction Sale is held, an official Spanish language translation of the conditions for the Auction Sale is available and distributed before the sale. The staff at the Property Clerk's Office includes 4 persons who are Spanish speaking, so that when a non-English speaking person comes to claim property, translators are available. If however, a situation arises where any of the Property Clerk's facilities cannot supply the needed translator, each facility has been directed to contact the Division's office for assistance. This "unofficial" bilingual service has worked adequately in the past and has aided the Property Clerk's Division to Complete its mission. This "unofficial" bilingual service has worked adequately in the past and has aided the Property Clerk's Division to complete its mission.

The Commanding Officer of the Property Clerk's Division is of the opinion that a centralized Spanish language service would be of limited use to the Division due to the availability of the "unofficial" Spanish interpreters.

COMMUNICATIONS DIVISION

The Communications Division's 911 facility has Spanish interpreters available at all times. On the average, three Spanish interpreters are assigned per eight hour tour. Should a 911 non-Spanish speaking operator receive a Spanish caller, the caller is transferred to an assigned Spanish speaking interpreter to service the call.

The Communications Division feels the number of Spanish speaking 911 operators it employs is sufficient to handle the Spanish speaking callers. For languages other than English and Spanish the Communications Division utilizes the "Contact Help Lines Language Bank". While the number is posted for all 911 operators, it is not available on a 24 hour basis.

Therefore, the Communications Division believes that a centralized citywide language service department would be helpful to the 911 mission for languages other than Spanish. The service must necessarily be available on a 24 hour basis.

LEGAL MATTERS

The Deputy Commissioner Legal Matters responded to the survey request by describing two lawsuits against the Police Department involving Hispanic concerns.

The first suit was an action brought by black and Hispanic fraternal line organizations challenging an employment test used to hire police officers.

The court found the exam unjustifiably discriminated against blacks and Hispanics and ordered a remedy which included a minority hiring quota of 50%. The City appealed the decision and it was held that the exam lacked content validity. However, the minority hiring quota was found to be unwarranted based on the facts and was reduced to a 33% quota.

The second suit is still pending. It is a suit brought by the Hispanic Society of the New York City Police Department and the Guardians' Association of the Police Department of the City of New York. It is actually two cases which challenge the 1983-1984 examination for promotion to Sergeant. The Plaintiffs allege discrimination against their respective groups.

An independent expert reviewed the test for the Plaintiffs, the Corporation Counsel recommended settlement, a settlement has been negotiated among the parties concerned and final court approval is awaited. The result thus far is that the Police Department is preliminarily enjoined from making permanent promotions to Sergeant.

POLICE DEPARTMENT
CITY OF NEW YORK

OMAP #403
CAPPS #100

June 27, 1986

From: Commanding Officer, Office of Management Analysis & Planning

To: Assistant to the Police Commissioner

Subject: FOLLOW UP QUESTIONS BY MAYOR'S COMMISSION ON HISPANIC CONCERNS

Responses to John Casey's follow up questions re our survey for the Mayor's Commission on Hispanic Concerns have been organized, as were the questions, by Bureau/Division:

OFFICE OF MANAGEMENT ANALYSIS AND PLANNING

A). The 2192 members of the department classified as Spanish Bilingual are done so based on self reports. A "Source Document for Personnel Data card" (Appendix A) is filled out on entering the department and updated as needed. These 2192 individuals are assigned throughout the department, in a wide variety of job categories. Only 10 of these individuals volunteered to be tested and certified as interpreters/translators as per Interim Order 32 issued May 1985. (Appendix B).

B). Figures are not readily available for the approximately 50 other languages which members of the department claim familiarity with. The numbers however are generally small, in comparison to the 2192 listing themselves as Spanish Bilingual. Italian Bilingual is the second largest group with approximately 600 individuals claiming this language skill.

C). The Operations Unit maintains listings of bilingual personnel by language and command. When a request is received, the listing for the language requested is reviewed to ascertain whether any of the commands (precincts) adjoining the requesting command have personnel with the language skill requested. The requesting command is given these names and commands. Statistics are not kept on the number of requests, response time, etc..

PERSONNEL

A). The Director of the Recruitment Section states that the various recruitment efforts utilized are directed at all ethnic groups; i.e. there are no specific Hispanic Recruitment programs. These general recruitment techniques include such things as public service announcements, street recruitment, recruitment through civic organizations, churches, colleges, high schools, etc..

B). The Commanding Officer of the Retention Section states that there is presently no mechanism in place for tracking personnel by ethnicity or sex. This information however is available in personnel computer files and programmers from the department's Management Information Systems Division are presently writing programs so that this information may be retrieved in the future. It is expected that the programs will be completed in time to collect data for the officers scheduled to be hired in July 1986.

CIVILIAN COMPLAINT REVIEW BOARD

A/B). CCRB reports that statistics on the number of complaints from the Hispanic Community and any differences in the nature of complaints from members of the Hispanic Community are not readily available. It would be possible to retrieve such information from complaints on file but such a project would be extremely time consuming.

C). All telephone calls to CCRB are taped; however a fall back procedure utilizing these tapes is only needed when a translator is not immediately available. Since this occurs very rarely, statistics have not been kept re the frequency of using the tapes for translating non-english callers.

OFFICE OF EQUAL EMPLOYMENT OPPORTUNITY

A). There was not a "slight drop" in Hispanic civilian personnel in the department in the last 5 years but rather a significant increase, +25.1%. As previously submitted, the number of Hispanic civilian personnel increased from 732 in 1980 to 916 in 1985. The Hispanic percentage of the total civilian personnel has remained virtually unchanged 11.1% in 1985 as compared to 11.3% in 1980.

B). A description of the department's various Boards and Committees is included in Organization Guide Procedure 101-16. (Appendix C).

PATROL SERVICES BUREAU

A). The various bilingual signs used in the department are generally distributed citywide. The need for these signs however will vary dramatically from one area of the city to another.

COMMUNICATIONS

A). CD #2075 re the use of communications and languages line is attached. (Appendix D)

OTHER QUESTIONS

A). The department presently collects arrest statistics for Hispanics as well as other ethnic groups. Although complaint statistics are not kept for the various ethnic groups, crime rates for precincts (communities) can be computed. (See attached description of how these rates could be computed which was previously submitted to you- Appendix E)

B). The action by the U.S. Equal Employment Opportunity Commission and the NYPD Hispanic Society vs the NYC Police Department has been resolved (Settlement agreement attached: Appendix F) and Interim Order 32 (May 3, 1985) includes most of the terms of the agreement. Response to this Interim Order has been rather disappointing. Only 10 members of the department have applied and been certified as Spanish Bilingual, only 1 has been certified in Italian, 2 have applied but have not yet been tested in Polish, 1 has applied but has not yet been tested in Hebrew and Yiddish and 1 has applied but has not yet been tested in Ukrainian, Russian and Slavic. This rather poor response to the program has minimized its impact.

C). The following are the top ten Hispanics in the department and their assignment:

1. Deputy Commissioner for Equal Employment Opportunity- George L. Sanchez.
2. Assistant Commissioner Community Affairs- Joseph A. Ramos
3. Director, Department Advocates Office - Hector M. Soto
4. Assoc. Staff Analyst, Employee Management Division- Nelson Almonte
5. Deputy Inspector, Commanding Officer, 73rd Precinct- Henry E. Cetina.
6. Deputy Inspector, Executive Officer, Zone 8, Patrol Boro. Bronx- Eamon Gonzalez
7. Captain, Executive Officer, 34th Precinct- Rudolf Landin
8. Captain, Commanding Officer, 41st Precinct- David J. Velez
9. Lieutenant, Supervisory Investigator, Internal Affairs Division- Antonio Colon
10. Lieutenant, 112th Precinct (Desk Officer)- Alfred Cordova

D). Staff from the department's Community Affairs Division and CAD's Crime Prevention Section are responsible for the department's written spanish language materials.

An additional question re why the Department's Precinct Receptionist Program declined in the last 10 years was received June 24th.

In 1975 there were 68 receptionists in this program. Of these 68, 37 were funded by the Department of Social Services and 31 were funded by the Model Cities Program. In 1986 there were only 34 Precinct Receptionists. The 50% reduction is due primarily to the cut in funding for the Model Cities program as well as a cut in the Community Development Fund.

Submitted for your information.


JAMES J. TRAINOR
Deputy Chief

rw

527

APPENDIX 3-16

Submission by:

DEPARTMENT OF PROBATION

Attached report and memo, plus:

- List and description of the Department's outreach programs
- Spanish translation of the rights of probatees
- Spanish translation of services available for probatees
- Copy of language service survey done for the submission to the Commission
- Material from Probation Officers Union regarding use of language skills

New York City Department of Probation

Response to the Office of Immigrant
Affairs Questionnaire on the Delivery
of Services to Limited English
Speaking Ability Clients (LESA).

Prepared by:

529

Frank Cannon
EEO Officer

I. Agency Description

The New York City Department of Probation is a mandated service, under state law, to provide Intake, Investigation and Supervision services for the Family Court and Investigation and Supervision services for the Criminal and Supreme Courts. The Department provides services from 27 field units in the five boroughs of the City.

The structure of the Department's field units are as follows:

- 1) The major field divisions (Borough Services) are under the supervision and direction of four Assistant Commissioners and are located in the Bronx, Brooklyn, Manhattan, Queens and State Island.
- 2) These Assistant Commissioners direct and administer their divisions as follows:
 - a) participate in the formulation of departmental policy relating to Probation services for children and adults appearing before the Family, Criminal and Supreme Courts.
 - b) They help plan, initiate, institutionalize, monitor and adjust operations for effective delivery of services for pre-court Intake and diversion; preparation of Court ordered investigations; and the supervision of juveniles in the Family Court and the investigation and supervision of adults in the Criminal and Supreme Court.
 - c) The four Assistant Commissioners report directly to two Deputy Commissioners of Operations. The Assistant Commissioners are the immediate supervisors of Branch Chiefs who are responsible for the specific field assignments such as Intake, Investigation or Supervision. These assignments include juvenile/adult investigations, juvenile/adult supervision and Intake screening/diversion functions.
 - d) Probation Officers provide the direct services for intake evaluations, pre-dispositional/pre-sentence investigations and juvenile/adult supervision. Probation Officers may be involved in a number of generic social work tasks, such as, individual and group counseling, marriage/family counseling and have a knowledge of available community resources.

As of March 1, 1986 the Department had 629 Probation Officers.

Client Population

The Department's client population, for the most part, are not voluntary consumers of our services. They are persons who are before a court and the services dispensed are circumscribed by the Department's fundamental mission of the protection of society which is enunciated in Section 65 of the Penal Law and 9 NYCRR, Section 374.3 (a).

The following data are based on FY'85 statistics:

Family Court

- *Clients provided with information only: 143,875
- *Intake cases serviced: 40,278
- *Investigations ordered: 4,437
- *Cases received for Pre-dispositional Supervision: 3,892
- *Juvenile supervision caseload: 2,146

Adult Court

*Felony Investigations ordered: 24,353
*Misdemeanor Investigations ordered: 11,616
*Adult Supervision caseload: 55,917

II. Response to Office of Immigrant Affairs Language Services Questionnaire

Section 1:

Although statistical data on Limited English Speaking Ability (LESA) clients are not routinely collected by the Department, it is possible to identify the population through several methods. An estimation of our LESA population can be secured from the demographic concentrations within the Community Planning Districts of the City. Race, country of origin, language spoken at home and proficiency in English can be retrieved from the clients file folders.

Section 2:

Of the Probation Officer staff, 8.7% are Hispanic and .9% are of Asian/Pacific Island origin. Of the clerical staff, 16.4% are Hispanic and 1.4% are of Asian/Pacific Island origin.

Although bilingual listings of staff are not universally maintained by the field units, a few of the units do maintain such lists. In addition, through the Agency's Affirmative Action Program, minorities are actively recruited, however, the Agency does not maintain a formal language bank nor is the bilingual staff tested, accredited or paid bonuses for bilingual services.

Section 3:

Interpreters are not formally employed by the department. In the Court setting, Interpreters are furnished by the Office of Court Administration. In the field units, interpreter services are provided on an ad hoc and voluntary basis by the bilingual staff, some volunteers and, in bilingual situations other than Spanish, OCA Interpreters are used when available.

In addition to the above, the Probation Officer's Union (UPOA) has advised its membership to deny the department their bilingual skills unless compensated for such services. (See Attachment).

Section 4:

Although the majority of the department's forms are primarily for the use of staff, a number of forms provide information to clients in both English and Spanish. Translations are generally performed in the manner described in Section 3. In some instances, direction and instruction signs, in Spanish, are used.

Section 5:

Given the fact that the Department's clientele are not voluntary consumers of our services, formal outreach efforts have been limited. However, during the course of interviewing the field unit managers, we found that the department's bilingual capabilities need upgrading, most particularly in the boroughs of Queens and Bronx.

Section 6:

None

Section 7:

The probation staff of the department's Family Intake units are required to provide each client with a copy of Notice of Rights for Probation Clients At the Preliminary Conference. The notice is written in English and in Spanish.

Section 8:

To date, there has been little formal training of staff nor information dispensed to staff concerning communication procedures with LESA clients, the use of interpreters or cross cultural communications.

Section 9:

Not Applicable.

Section 10:

In course of discussing the language service needs with the field service managers, it is apparent that there is a need for formal interpreter services in the department. In a report prepared on October 10, 1985 by the field manager of Queens Family Branch, it was noted that 14% of the borough's population were Hispanic and the need for an Interpreter in the unit was critical. It was further noted that between April 18, 1985 to June 14, 1985, staff members were used as Interpreters on 363 occasions. The unit manager also commented that based upon their survey, there was a "gap created by a paucity of skilled, professionally trained and available Interpreters. Having a Spanish Interpreter on staff would therefore increase the efficiency and effectiveness of Branch operations."



DEPARTMENT OF PROBATION

115 LEONARD STREET, NEW YORK, N. Y. 10013

EXECUTIVE OFFICES

July 18, 1986

The Mayor's Commission on Hispanic Concerns
Language Services Project
100 Church Street, Room 6C2
New York, New York 10007

Attention: Mr. John Casey

Dear Mr. Casey,

As per your request, enclosed, please find (1) a listing of the names, titles and languages spoken by the Department's bilingual staff, (2) statistical data pertaining to our Hispanic clientele and (3) a listing and brief description of the Department's Outreach Programs.

The following addresses the issues of a) The Department's reaction to the Probation Officers Union position regarding the probation staff providing bilingual services to clients, b) the Department's future plans for the delivery of services to Hispanic clientele and, c) the agency's plans for interpreters.

- A) As previously noted, the United Probation Officers Association (UPOA) had taken the position that Probation staff with bilingual abilities should not offer their services to clients without due compensation. Although, there was no formal reaction to the union's position by the administration, informally, the probation staff do provide bilingual services.
- B) There are no formal standards, training, or bonus payments for bilingual staff in the Department. However, the N.Y.C. Department of Personnel, in the Notice of Examination for the position of Probation Officer, indicates that candidates for the position of Probation Officer "may be selectively certified to fill vacancies in the title of Probation Officer which require a working knowledge of both English and another language; those who are placed on the eligible list may be permitted to take a qualifying oral test to determine ability to speak and understand another language. Candidates wishing to take this qualifying oral test must so indicate by filing the Language Proficiency Tests forms with their Experience Paper Form A." (see attachment #1).

- C) As a result of the series of meetings with the Mayor's Commission on Hispanic Concerns, the Department's branch managers regarding bilingual needs and the survey of the Department's bilingual capabilities, the Department is further exploring interpreter/translator services in various languages.

We hope this information will prove helpful to you. If any additional information is needed, feel free to contact me.

Very truly yours,


Frank Cannon
Equal Employment Opportunity Officer

Enc.

FC:pw

cc: Joseph Wightman

APPENDIX 3-17

Submission by:

DEPARTMENT OF SANITATION

Attached report, plus:

- Community Board Participation handbooks
- Translations of leaflets and posters
- Hispanic representation in Sanitation districts
- Newspaper articles in Spanish and English
- Copy of award to Deputy Commissioner for Hispanic recruitment

SUMMARY OF THE
DEPARTMENT OF SANITATION'S
SERVICES, COMMUNITY RELATIONS, AND RECRUITMENT PRACTICES

PREPARED FOR THE
MAYOR'S COMMISSION ON HISPANIC CONCERNS

June 20, 1986
Bureau of Management Analysis

536

COLLECTION

Services and Organization. The Department collects regular and bulk waste from homes, apartment buildings, public schools and other institutions throughout the City. Bulk refuse includes large items like refrigerators and furniture. There are approximately 5,700 Sanitation collection workers who collect 14,000 tons of waste each day.

Household collection crews use rearloading and sideloading trucks of either 20 or 25 cubic yard capacity, with two workers on each truck. The Department also collects containerized refuse from institutions including hospitals, schools, and housing projects. Container collection routes use several different types of trucks with mechanical loading systems. Containerized waste constitutes approximately 10 percent of all waste collected.

The Department is organized into 11 zones or borough commands. Brooklyn and Queens have three borough commands, Manhattan and the Bronx each have two, and one borough command handles Staten Island. A borough command is managed by a Borough Superintendent. The zones are broken down further into 59 Sanitation districts which are coterminous with the 59 Community Boards. A District Superintendent directs each district. Districts are separated into sections, each headed by a first-line supervisor. Supervisors oversee the work of approximately 10 or more sanitation workers.

Sanitation delegates to Borough and District Superintendents the responsibility of managing their collection and cleaning activities. This command or managerial decentralization requires the Superintendents to work very closely with Community Boards in planning a wide range of services.

Service Allocation. Collection services are allocated according to routes and collection frequencies. Routes and frequencies are determined through field analyses that measure such factors as population density, distances between stops, total waste volume, and waste generation patterns.

A route is a predetermined path in a geographical area to be covered by a collection truck during a work shift. A collection route defines where garbage must be collected. The size of a route depends on the volume of garbage in that portion of the section, the truck capacity, and the distance between stops (the population density). The Department maintains approximately 1,150 to 1,200 truck routes on Mondays, the heaviest collection day of the week.

Collection frequencies are the number of times each week that an area receives service. The Department establishes frequencies according to how often an area needs its waste collected. Again, population density and waste volume help determine this, along with the ability of residents to store their waste within a building or in their yards.

The fiscal crisis required the City to reduce collection frequencies by one or two days per week in every district, with the lowest frequency now being two weekly collections. These frequencies have proven sufficient to meet the City's collection requirements so we have maintained them, for the most part. All districts now receive either five, three or two days of collection service each week, with one exception: one portion of a section of Manhattan East District 5 retains a six day frequency because that area contains very large housing projects.

Only rarely do we change an area's collection frequency. The Mayor's 1987 Executive Budget proposes a large frequency increase for City Housing Authority projects because of the increasing volume of waste that occurred with the closing of incinerators in most projects. Frequencies will only change in those portions of the sections where housing project waste exceeds the capacity to collect under current frequencies. Routes will also be changed or added to accomodate this increase in service.

The Department has also considered increasing collection frequencies at public schools, at the request of people and community boards throughout the City. Waste loads from these schools have increased significantly with the growth of school breakfast and lunch programs.

Service Measurement. The Department maintains several quantitative measures of its collection services. We measure productivity gains with the Productivity Analysis Reporting System (PAR), and we track collection reliability by counting the number of loads left uncollected every work day and the number of collections made at night. Like all New Yorkers, we consider loads left on the curb for a day or more and collections made at night to be nuisances to avoid at nearly any cost.

PAR evaluates the efficiency of the Department's residential refuse collections. PAR measures productivity by comparing performance (the hours worked and the tons of refuse collected) against predetermined, objective standards on a monthly basis. The PAR index for July 1985 through April 1986, was 94.9, almost 5.4 points higher than the 89.5 rating recorded during the same period in 1984 and 30.7 points higher than the 64.2 rating recorded during the same period in Fiscal 1981. This impressive improvement came with the implementation of the Department's two-worker program.

Collection reliability for neighborhoods throughout the City has increased at the same time that we have gained these productivity improvements. We have reduced the percentage of loads left at the curb each day so that by the end of each week we collect virtually every load left out. During the last full fiscal year we collected 98.1 percent of the waste left out for collection on the scheduled collection day, and kept night collections down to 12.2 percent of all collections.

Hispanic Focus. Eight of the 11 community boards where the Hispanic population exceeds 40 percent receive three-day per week collection service; two of the 11 districts have two-day service, and one requires five-day per week collection. Loads left uncollected at the end of the regularly scheduled collection day in Fiscal Year 1985 averaged 1.9 percent for the 11 Hispanic districts compared to 2.2 percent in the rest of the City. Night collections averaged 7.6 percent in the 11 focus districts compared to 11.2 percent elsewhere.

CLEANING

Services and Organization. The Department of Sanitation employs several different methods to clean New York City's streets:

- Mechanical brooms sweep the streets from curb to curb. We schedule brooms along three types of routes: alternate side of the street parking (ASP) routes, "B" or night routes, and "O" or routes other than ASP's or B's.
- Crews using hand equipment and collection or smaller "utility haulster" trucks sweep litter from the streets and curbs.
- Flusher trucks spray water on the streets which makes it easier for mechanical brooms and hand-sweepers to clean the streets.
- Two-worker crews using collection trucks empty the nearly 25,000 litter baskets the Department places on sidewalks throughout the City.
- Can carrier workers are deployed on foot throughout the city to sweep the streets and curbs with handbrooms.
- Special cleaners serve Hunts Point and the City's other food market areas using a range of equipment types.
- Special cleaning crews are deployed for parades, block parties and other special events, and for beach cleaning during the summer.

Cleaning operations are managed under the same decentralized structure as collection. Borough and District Superintendents and field supervisors handle both collection and cleaning. In the districts with the largest cleaning forces, we deploy supervisors fulltime as Cleaning Officers to develop and manage cleaning strategies.

Service Allocation. Prior to the fiscal crisis, the Department of Sanitation employed 2,500 street cleaners. The Department was cut back to 800 cleaners during the crisis period, leaving only mechanical broom operators for the most part. This workforce reduction took its toll on street cleanliness levels: the citywide Scorecard rating average dropped from the low-70s to the low-50s and the City was noticeably dirtier. (The Scorecard rating system is described in the "Service Measurement" section, which follows.)

When the two-worker truck began to free workers from collection work, the Department began increasing its cleaning force. We created what we call the "Clean Team", staffing it initially with 456 new workers and eventually adding another 926. We now have a total of approximately 2,221 cleaners, including 1,382 Clean Team members, 800 core cleaners, and 39 workers assigned to a neighborhood intensive cleaning squad.

The first question facing us in adding new cleaners was where should they go. We wanted to increase cleaning services throughout the City -- giving each area some portion of the new services but also focusing most strongly on the City's dirtiest areas.

For the initial group of 456 Clean Team workers, we allocated at least three cleaners to each of the City's 59 districts, using the following guidelines:

- below 30 percent Scorecard rating - 12 workers;
- 30 to 50 percent Scorecard - 9 workers;
- 50 to 70 percent Scorecard - 6 workers;
- greater than 70 percent Scorecard - 3 workers.

Since its inception in Fiscal 1982, we have expanded the Clean Team several times (see table below). It now stands at 1,382 workers. With each expansion, subtraction, or restoration, we have followed basically the same allocation formula -- one based on the cleanliness conditions of each district in the City.

Clean Team Additions - 1981 through 1986

<u>Date</u>	<u>Clean Team Change</u>	<u>Clean Team Total</u>
August 1981	456	456
July 1982	99	555
November 1982	(267)	288
July 1983	168	456
March 1984	94	550
July 1984	400	950
July 1985	309	1,259
August 1985	123	1,382

We altered somewhat the way we allocate new cleaners with the additions made in fiscal 1986. The cleaners added up to that point helped us raise the citywide cleanliness ratings to levels approaching those recorded before the fiscal crisis. The Mayor determined that for the next Clean Team addition we should set two goals: raise the citywide Scorecard rating to 72 percent, which would equal the pre-fiscal crisis level; and increase the rating for each district to at least 50 percent. The latter objective directed proportionately more new cleaners to the City's dirtiest areas.

Service Measurement. Several years ago the City, working with the Fund for the City of New York, established a system for measuring the cleanliness of City streets and sidewalks. The Mayor's Office of Operations now maintains this system, called Project Scorecard. It provides an accurate, unbiased measure of just how littered the streets and sidewalks are.

The rating system is based on daily visual observations made by trained rating teams of a sample of the City's 133,000 blockfaces. The raters use a seven-point scale that runs from 1.0 (absolutely spotless) to 3.0 (filthy). Blocks are termed acceptably clean if the rating is less than 1.5. The ratings are compiled into district-level and citywide ratings.

The citywide Scorecard rating through April of this fiscal year was 73.8, compared to 71.3 in fiscal 1975 before the workforce reductions from the fiscal crisis. The current rating exceeds the 72.0 percent target set by the Mayor's Office for this year. The Department has also nearly achieved its objective of increasing the rating for each district in the City to at least 50 percent -- 11 of the 17 districts rated below this level last year have now exceeded 50 percent and the remaining districts will either reach or come very close to reaching this goal by the end of the year.

Hispanic Concerns. The 11 Hispanic target districts are among the toughest districts in the City to clean. Thus, we have allocated proportionately more cleaning resources to these areas: since fiscal year 1982 when we began adding new cleaners, we more than doubled the cleaning resources in these districts (from an average of 400 worker days per month to 846). This compares with an increase from an average of 321 to 547 worker days for the remainder of the City.

These added cleaning resources have paid off in the form of cleaner streets, as measured with the Scorecard system. Scorecard ratings have increased steadily since 1982 when the Department began increasing its Clean Team. The average rating for the 11 Hispanic districts rose from 29.9 percent in 1982 to 54.7 percent in 1986 -- more than 80 percent. This compares with an average increase of 25 percent for the remaining districts (from 55.2 percent to 69.0 percent).

ENFORCEMENT

Services and Organization. Sanitation Enforcement Agents (SEA's) and Sanitation Police are empowered to issue summonses for Health and Administrative Code violations. SEA's enforce most of the H & A Code violations. We are budgeted for 198 SEAs, although the actual headcount has remained well below this number due to recruiting and retention problems. The Sanitation Police have jurisdiction over the most serious H & A violations, including illegal dumping. We have 62 Sanitation Police officers.

The most common violations cited by Sanitation enforcement agents include: failing to remove canine waste; unleashed dogs; failure to remove snow, ice and dirt from sidewalks; dirty sidewalk; failing to clean 18 inches into the street, and littering. Sanitation Police focus mostly on illegal dumping, vendor operations, and violations by private carting firms.

In contrast to the decentralized cleaning and collection services structure, the Enforcement Program's organization is centralized. The Enforcement Director and Deputy Director allocate agents, institute deployment strategies, develop special programs, monitor productivity, maintain records, and conduct studies. Field Captains report to headquarters about the activities in the zones. Zone Coordinators report to Field Captains and manage operations in the districts. Sergeants and Lieutenants monitor agent activities directly and report to zone coordinators.

Service Allocation. We use the following guide in allocating Sanitation enforcement agents: assign more agents to the dirtiest areas and deploy agents within each district most heavily in commercial areas where cleanliness problems are generally the greatest.

We allocated agents among districts according to Scorecard ratings, using as a base the ratings from April 1982 through March 1983 (the period when we expanded the program). We assigned five agents to districts rated below 40 percent, four to districts between 40 and 60 percent, three to districts with 60 and 80 percent ratings, two with 80 to 90 percent ratings, and one to districts above 90 percent. Under this system, the Bronx received 44 agents, Manhattan 58, Brooklyn 60, Queens 31, and Staten Island five. Since our agent headcount is now below the budgeted level, agents are allocated to the dirtiest areas.

SEA'S are deployed individually each day to cover a certain geographical area within their district. The agent works with supervisors to determine the areas most in need of enforcement patrols. The agents walk and drive to cover their districts, focusing greatly on the commercial areas.

Agents do not presently follow a predetermined path or route within their geographical area. We have experimented with predetermined routes, which we feel would benefit both the merchants along the route and us by encouraging routine cleaning and providing some certainty in the timing of enforcement. We may expand this beyond the experimental stage.

We have also used intensive warning programs to heighten awareness of H&A violations without increasing summons issuance markedly. We conduct these in specially designated commercial areas, with the assistance and concurrence of community boards. We have conducted warning experiments in nine of the 11 districts with Hispanic populations above 40 percent.

We deploy the Sanitation Police officers according to information we have about the most common illegal dumping sites in the City. This takes them to all five boroughs, but less often to Manhattan than to the other four boroughs. They work primarily on overlapping evening and night shifts, when most illegal dumping occurs.

Service Measurement. Our enforcement efforts have contributed to the increase in street and sidewalk cleanliness. While our planning models have not quantified the relationship between Scorecard ratings and enforcement, we feel certain that ticket issuance has helped increase the sidewalk ratings considerably. Sidewalk Scorecard ratings increased to nearly 80 percent this year, the highest since Fiscal 1976.

Hispanic Concerns. Enforcement agents provide translated literature to individuals who do not understand English. While we do not specifically allocate Hispanic agents to Hispanic communities (because of concerns about having individuals patrol their home district), agents sometimes call on Hispanic Self-Help Representatives to interpret when needed.

LOT CLEANING

Services and Organization. The Department cleans approximately 15,000 vacant lots throughout the City each year. Much of our work supplements the efforts of other City agencies, including fencing by the Department of General Services, pest control by the Department of Health, and cleaning and sealing by the Department of Buildings and the Department of Housing Preservation and Development.

There are 353 personnel working in the Lot Cleaning Division. The nine lot cleaning crews are assigned by borough under a supervisor to complete the daily scheduled work orders. Lot Cleaning crews consist of both uniformed and civilian personnel. The uniformed Sanitation workers primarily drive loading equipment and the trucks that remove waste from lots. Civilian personnel called Community Assistants clean the lots and construct barriers to control illegal dumping.

Service Allocation. The lot cleaning program receives requests for cleaning services from private citizens, community boards, and other City agencies -- 36 percent of the requests come directly from community boards; 28 percent from the City's pest control program, and the remainder from private citizens and other City agencies. We investigate each request, checking for duplicate requests and eventually inspecting the lot in the field as the last step before the actual cleaning. Because our lot cleaning work is funded greatly by federal Community Development Block grants, we focus most of our work on the City's community development areas.

We then develop lists for each area of the City indicating the order of cleaning for the many lots requested. The cleaning schedule is determined primarily by the order of request, with lots that were cleaned in the recent past generally receiving lower priority than new requests.

Service Measurement. We measure lot cleaning services mainly by the number of lots cleaned and the amount of waste removed from these lots. The Department cleaned 14,213 lots and removed 230,757 tons in Fiscal 1985 and has cleaned 16,133 lots and removed 155,319 tons so far in Fiscal 1986.

Hispanic Concerns. The 11 districts with an Hispanic population above 40 percent had an average of 397 lots cleaned apiece in fiscal year 1985, compared to an average of 205 lots cleaned for each of the remaining 48 districts. Our concentration on community development districts accounts for the disproportionately high service given the Hispanic districts.

COMMUNITY RELATIONS

Self-Help Program. The Department's Self-Help Program was created in 1966 as part of the Federal Model Cities and Urban Demonstration Act. We employ 34 self-help representatives to encourage the public to comply with Sanitation rules and regulations. The representatives explain what our regulations actually mean and what the consequences are if they are not followed. Their work is concentrated in the City's community development areas, which means that they spend proportionately more time in the districts with large percentages of Hispanic residents.

The representatives use their own special language skills to get their message across -- the staff members speak a total of eight foreign languages including three Chinese dialects, Spanish, French, Creole, Russian, and Italian. We are now recruiting a Korean speaker. They also distribute literature translated from English into Spanish, French, Russian, Chinese, and Italian. In special instances, they have used pamphlets written in Creole, Laotian, Vietnamese, Cambodian, Yiddish, and Korean. Ten of the 34 representatives are Hispanic.

In general, self-help representatives serve as the Department's eyes, ears, and voices on the neighborhood level. Their range of special functions includes the following:

- maintaining liaison with community leaders and attending district community board meetings with district cleaning and collection superintendents;
- assisting enforcement agents in warning programs and other special deployment work by walking through targeted areas and speaking directly to merchants and property owners without issuing summonses;
- conducting initial field inspections for vacant lots;
- organizing cleanup contests which encourage merchants, property owners, landlords, and residents to pick up brooms and clean up their own blocks; and
- working with cleaning and collection employees on special cleanup projects, including derelict vehicle removal.

The Green Book and the Blue Book. Community Boards monitor the services agencies provide in their districts and work with City agencies to prepare service plans. Developing a comprehensive plan to improve services in each district is a long and complex process. The Department of Sanitation prepared a guidebook, Sanitation: A Guide to Community Board Participation in Planning the Delivery of City Services, to assist Community Boards in this work. We call this the "Green Book".

Besides describing the Department's functions in some detail, the "Green Book" does the following:

- outlines the steps boards should take in writing service statements -- these must include a list of the tasks to be completed, the responsible parties involved, and the deadline dates;
- describes the format and development of standard indicators to give communities the ability to compare their service levels with other districts; and
- provides suggestions as to how a community can set targets and create community-based improvement programs.

The best plans to improve Sanitation services often come from the joint efforts of Community Boards and the local Sanitation Superintendents. District Superintendents represent the Department at community boards' monthly district cabinet meetings. They serve as both a technical resource and a first-hand observer of the district's Sanitation needs. They will assist any community board in its effort to change service delivery patterns through the Green Book process.

The Department created a separate guidebook for community involvement in planning enforcement services, which follows a path similar to that in the Green Book. Entitled Sanitation: A Guide to Community Board Participation in Planning the Delivery of Sanitation Enforcement Services, this book is known as the "Blue Book".

COMMUNICATIONS

Citizen Complaints and Requests. The Sanitation Action Center processes telephone complaints and requests from the public. They forward these contacts to the proper operational or administrative office. The average time it takes to resolve a complaint is between 4.5 and 5.5 days. The most common communications involve enforcement, waste collection, and street cleaning. The Department's Central Correspondence Unit handles written complaints, requests, and general comments received from the public in much the same manner as the Action Center.

The Action Center has a Spanish-speaking employee on staff each weekday from 11 a.m. to 7 p.m. We use the Mayor's Office to translate letters sent to the Correspondence Unit. However, we rarely receive letters written in Spanish.

Public Outreach. The Department maintains a very active public relations and public education effort, which continually communicates our successes and service problems to the public. Our Office of Public Affairs prepares articles for newspapers and magazines, organizes television coverage of important Department events, prepares video tape programs for broadcast over public television outlets, posts regulatory signs, displays posters, and prepares all literature for public distribution. The Office of Public Relations and Education conducts large scale advertising campaigns, distributes audio-visual materials, and provides Sanitation speakers at school and community meetings through its Speakers Bureau.

Sanitation does not maintain a central translation staff. To overcome language barriers in formal communications, we use employees throughout the Department as interpreters and translators on an as-needed basis. We maintain a list of employees proficient in languages other than English for this purpose. As noted earlier, we have staff skilled in three Chinese dialects, Spanish, French, Chinese, Russian, and Italian. We have also prepared literature in Creole, Laotian, Cambodian, Vietnamese, and Korean. When we do not have staff available for language work, we use the the Mayor's Press Office or outside consultants.

The Offices of Public Affairs and Public Relations and Education have most all their literature, signs, posters, and press releases translated into Spanish. Translation of literature is done by a Hispanic staff member from the Self-Help Program, the Mayor's Press Office, or by outside consultants.

We forward copies of all press releases and correspondence to 11 Hispanic newspapers and magazines: El Sol, Impacto, El Tiempo, La Razon, Aqui Ecuador, La Voz Argentina, Nuevo Amaneces, Dominicanos En El Exterior, Temas Magazine, La Voz Hispana, El Especial, El Diaro-La Prensa, and Noticias Del Mundo. We communicate regularly with television stations RTVE, WXTV-Channel 41, WNJU-TV-Channel 47, and the Spanish International Network, and with two wire services that prepare Hispanic notices: Associated Press and EFE-United Nations.

RECRUITMENT

Aggressively recruiting Sanitation workers, clerical, trade, and professional staff from among New York City's minority communities is one of the Department's most important responsibilities. Our jobs pay well and offer considerable challenges and opportunities for training and advancement.

The Department has worked especially hard to recruit more women and minorities into the workforce. We have increased minority representation among uniformed workers to nearly 25 percent (uniformed workforce ethnic percentages stand at: 77 percent White, 17 percent Black, 6 percent Hispanic, and less than one percent Asian and Native American) and are ready to implement a new Sanitation Worker list that will increase minority representation even further and will bring women onto the job for the first time.

We are especially proud of our work in recruiting candidates for the new Sanitation Worker list that will be issued this summer. The last list was compiled in 1974 and was used from that point through the present every time we hired new Sanitation Workers. The new list will be used for the next few years to hire between 500 and 700 new workers each year.

For the new list, we spent much time and money to reach as many of the City's minority communities as possible. We hired public relations and advertising firms to develop a marketing plan and advertising materials that we presented throughout the City. We assigned Sanitation employees to work fulltime as mobile recruitment teams talking with, distributing literature and showing an audio-visual piece to schools, community groups, military groups, social organizations, and virtually any group that would listen to us. We targeted audiences where we could reach the greatest number of unemployed persons, especially women and Black and Hispanic persons between the ages of 18 and 30.

The campaign was a multi-lingual and multi-media effort. We distributed a wealth of advertising material -- nearly 800,000 individual pieces of information -- including flyers, subway and truck posters, exam explanations and applications. We aired advertisements over five television and seven radio stations and placed ads or stories in more than a dozen newspapers, including La Voz Hispana, Impacto, El Diario, and Noticias del Mundo.

The results were that of the more than 270,000 applications for the Sanitation Worker exam that we distributed, approximately 20 percent went to women, 30 percent to Blacks, and 33 percent to Hispanics. 64,833 people took the initial, written portion of the examination. Of the 61,777 who passed this test, 29 percent were Black, 16 percent were Hispanic, and five percent were female.

The recruiting effort will change the Department's ethnic and gender composition dramatically over the next few years, producing a workforce mix that more nearly reflects the citizens it serves. The Grand Council of Hispanic Societies and several community groups commended us for this work. We have since expanded our efforts to diversify the workforce to each bureau and to nearly every title in the Department (civilian and uniformed).

APPENDIX 4 - List of Speakers

**Manhattan Public Hearing
March 19, 1986
Teacher's College, Columbia University**

Honorable Edward I. Koch
Mayor, New York City

David Dinkins
Manhattan Borough President

Carolyn Maloney
Councilmember, 8th CD

Luis Rodriguez Abad, Ph.D.
Solidaridad Humana

Nures Adames

Roberto Anazagasti
N.E.R.V.E., representing
Jorge Espada, Director

Gerson Borrero
Institute for Puerto Rican Policy
representing Angelo Falcon

Suleika Cabrera
Institute for Puerto Rican Hispanic Elderly

Miguel Calderon

Lillian Carino
Office of Councilmember Ruth Messinger, 4th CD

Doris Colon
National Hispanic Council on Aging

Manuel Diaz
Governor's Advisory Committee on Hispanic Affairs

Rafael A. Estevez

Anthony Flores
Latino TV Broadcasting Service

Frank Flores
National Hispanic Business Group

Rafael Flores
Hot Line Cares

Agustin Garcia
Asociaciones Dominicanas

Roberto Garcia
National Puerto Rican Forum, Inc.

Reverend Roberto O. Gonzalez
Office of Pastoral Research and Planning

Silverio Guzman

Galen Kirkland
West Harlem Community Organization

William Landau
Puerto Rican Family Institute

Nestor Llamas
Governor's Advisory Committee on Hispanic Affairs

George Lozano
representing Mario J. Paredes
Northeast Catholic Pastoral Center for Hispanics

Luz Miranda
Riverside Construction Co.

Anita Velez Mitchell
Ibero-American Writers

Antonio Pagan
Hispanic Aids Forum

Antonio Perez Melero
Hispanic Art

Jose Luis Rodriguez
Hispanic Information and Telecommunications Network, Inc.

Louis Rosally
New York State Hispanic Chamber of Commerce

Al Taylor
representing Assemblymember Herman D. Farrell, Jr., 71st AD

Nuldes Torres
representing Herminio Martinez, Ph.D.
Columbia University, Teacher's College

**Bronx Public Hearing
March 26, 1986
Eugenio Maria de Hostos Community College**

**Hilario Albert
Quisqueya Lions Club**

Efraim Alvarado

**Lorenzo Barcelo
National Puerto Rican Forum**

**Ismael Betancourt
Beta Growth Network**

**Carlos Cuevas
City Clerk**

**Jane Delgado
Association of Hispanic Arts**

**Herman Delgado
representing Dr. Mildred Allen, Fordham Tremont
Community Mental Health Center**

**Dr. Flora Mancuso Edwards
Eugenio Maria de Hostos Community College**

**Angel Garcia
People for Change**

**Anibal Garcia
Assistant Assemblyman Hector Diaz, 74th AD**

**Reverend Francisco Garmendia
Episcopal Vicar of the South Bronx**

**Luz Towns Miranda
Hispanic Mental Health Professionals & Manhattan
School District 6**

**Joseph Monserrat
Metro Spanish Merchants Association**

**Robert Munoz
National Association on Hispanic Civil Rights**

**Robert Ramirez
Episcopal Archdiocese of New York**

**Dr. Luis Reyes, Ph.D.
ASPIRA**

Antonio Riva
Tremont Community Council

Al Rivera
Episcopal Archdiocese of New York

Peter M. Rivera, Esq.
Rivera & Suarez

Felix Sanabria
Hispanic Society, Department of Sanitation

Lucindo Suarez
Community Board #2

Felix Velazquez
PROMESA

Dasil Velez
Congressman Robert Garcia's Office

Carmen Villa Lugo
representing Lucindo Suarez, Community Board #2

Irma Zardoya
representing Dr. Peter Negroni,
Community Superintendant, District 12

**Brooklyn Public Hearing
April 2, 1986
Brooklyn Union Gas Auditorium**

Howard Golden
Brooklyn Borough President

Anthony Gerges
Councilmember

Anthony Alvarado
Education Consortium, Teamsters Local 237

Jose Aristizabal

Robert Camerieri
Youth Action Restoration Crew in Spanish Harlem

Jesus Antonio Cortes
Puerto Rican Vietnam Era Veterans, Inc.

Herminia Gonzalez

**Corinna Grant
Community District 5**

**Miguelina Maldonado
New York Hispanic Task Force on Child Abuse and Neglect**

**Roger Maldonado, Esq.
South Brooklyn Legal Services, Corporation B**

**Edwin Mendez
Spanish-Speaking Elderly Council of Brooklyn**

**Emelicia Mizlo
A.P.R.E.D.**

**Joseph Montalto
Former State Senator**

**Cesiah Toro Mullane
District Liaison for Assemblyman Thomas Catapano, 54th AD**

**Rene Orellana
New York Hispanic Association
for Higher Education**

**Wenny Paz
Vietnam Veterans of America**

**Pedro Perez
Puerto Rican Veterans Association**

Cupido Quirtragua

**Jose Lumen Roman
Special Assistant to the Governor of Puerto Rico**

**Celina Santiago
Concilio Acion Hispano Para Persona Mayores**

**Albert Vazquez
Sara J. Hale, V.H.S.**

**Tito Velez
Brooklyn Committee for Hispanic Development**

**Staten Island Public Hearing
April 9, 1986
College of Staten Island**

**David Correa
New York State Supreme Court, Brooklyn**

**Karina Costantino
200 Club**

**Joyce Fonollosa
Public School 4**

**Anthony Hernandez
representing Ralph J. Lamberti
Staten Island Borough President**

**Velma Johnson
New York Urban TAP Center**

**Eva de Lao
Opera Singer**

**Anthony Lombardi
120th Precinct**

**Richard Mudgett
Ad hoc Committee Chairman, Yonkers, NAACP**

David Tacoronte

**Dr. Elsa Nunez Wormack
The American Council on Education Fellow**

**Queens Public Hearing
April 16, 1986
Public School 69 - Auditorium**

**Claire Shulman
Queens Borough President**

**Jose Ramon Alvarez
Comite Civico Ecuatoriano**

**Nayibe Nunez Berger
Centro Civico Colombiano**

**Julio Caldeiro
representing Maria Tur, Representante de Comision 25 de Agosto**

Alice Cardona
National Conference of Puerto Rican Women

Rodrigo A. Cordoba
Comite Civico Ecuatoriano

Maria Cuadrado
Institute for the Puerto Rican/Hispanic Elderly
CABS Nursing Home

Heriberto Dixon, Ph.D.
New School for Social Research

Dino Dominguez
New York Hispanic Soccer League

Delia Finch
Peruvian American Council of Goodwill, Inc.

Julio Galdeido
Representante de la Comision 25 de agosto

Aida Gonzalez
Cultural Affairs, Queens Borough President's Office

Jose Hernandez, Ph.D.
Department of Puerto Rican Studies, Hunter College

Harvey Katz
Community Board 4 Youth Services

Ana Lopez
Asociacion Benefica Cultural Father Bellini

Danilo Lugo
International Immigrant Foundation

Robert P. Mangieri
Community Planning Board 9

Homero Melendez
Comite Civico Ecuatoriano

Pedro Monge
United Latin Americans of Queens

Rita Moundjian
Escuela Uruguaya Jose Pedro Varela

Flora Murillo
Casa Social Cultural Ecuatoriana de Nueva York, Inc.

Peter Nefsky
110th Precinct Community Board

Jose Nicot
La Nueva Raza Institute

George Ortiz
Assistant Counsel to Queens Borough President

Pedro Perez
National Congress of Puerto Rican Rights, NYC Chapter

Dr. Jose D. Rico

Flore Rodriguez
representing Assemblywoman Helen M. Marshall, 35th AD

Renee Rodriguez
Interamerican College of Physicians and Surgeons

Reverend Leoncia Rosado Rousseau
Pastor, Christian Church of Jamaica

Grissel Sepulveda
representing Assemblyman Steven Sanders, 63rd AD

Victor Suarez
Centro Civico Colombiano

Haydee Zambrana
Concerned Citizens of Queens, Inc.

Closed Hearing
September 3, 1986
City Hall, Blue Room

Blanca Cedenio
New York City Housing Authority

Rafael Esparra
Deputy Fire Commissioner

Fernando Ferrer
Councilmember, Bronx County

Annibal Garcia
representing Assemblymember Hector Diaz

Father Louis Gigante
SEBCO Development

Olga Mendez
State Senator, Bronx County

Luis Miranda
New York Hispanic Housing Coalition

Steve Newman
representing Comptroller Harrison Goldin

Victor Robles
Councilmember, Brooklyn County

Israel Ruiz, Jr.
State Senator, Bronx County

Yolanda Sanchez
National Latinas Caucus

List of Speakers at Full Commission Meetings

Stanley Brezenoff
First Deputy Mayor

Robert Esnard
Deputy Mayor for Policy and Physical Development

Alair Ane Townsend
Deputy Mayor for Finance and Economic Development

Victor Botnick
Special Assistant to the Mayor

Manuel Bustelo
Commissioner, New York City Department of Employment

Loretta Caldwell
Director, Division of Small and Minority Business Development
New York City Office of Business Development

Anthony Gliedman
Commissioner, Housing Preservation and Development

Victor Herbert
Director, Dropout Prevention Program
New York City Board of Education

Lawrence Kleves
Commissioner, New York City Office of Business Development

Judith Levitt
New York City Personnel Director

Nathan Quinones
Chancellor, Board of Education

Steven Spinola
President, New York City Public Development Corporation

Hector Vazquez
Director, Hispanic Business Desk
New York City Office of Business Development

Benjamin Ward
Commissioner, New York City Police Department